

CHAPTER 60 - SPECIAL REQUIREMENTS

60.05. DESIGN REVIEW DESIGN PRINCIPLES, STANDARDS AND GUIDELINES [ORD 4332; January 2005]

60.05.05. Purpose. The following design principles, standards and guidelines shall be met by new development and redevelopment where applicable, throughout the City. [ORD 4584; June 2012]

60.05.10. Design Principles. The following design principles are general statements to guide the development of the built environment, the appearance of that development, and the effect of that development on the existing surroundings. The design guidelines and standards implement these principles. [ORD 4584; June 2012]

- 1. Building Design and Orientation.** Design buildings that enhance the visual character of the community and take into account the surrounding neighborhoods, provide permanence, and create a sense of place. In Residential, Commercial and Multiple Use districts, design buildings that contribute to a safe, high quality pedestrian-oriented streetscape.
- 2. Multiple Use District Building Orientation and Design.** Locate buildings so they are conveniently and safely accessible from on-site and off-site sidewalks and streets, and so buildings near the edge of a right of way provide a high quality, pedestrian oriented streetscape, contribute to safety by offering “eyes on the street” and promote pedestrian safety and use. Provide a pedestrian-friendly environment through building and site design treatments that may vary in nature and degree depending on the character of the urban area, the characteristics of the street, and the type of use and development proposed.
- 3. Circulation and Parking Design.** Provide integrated multi-modal circulation and parking improvements that are safe and convenient, connect to surrounding neighborhoods and streets, and serve the needs of development.
- 4. Landscape, Open Space, and Natural Areas Design.** Create landscape areas that contribute to the aesthetics of the community, conserve, protect, enhance or restore natural features and the natural environment, provide an attractive setting for buildings, and provide safe, interesting outdoor spaces for residents, customers, employees, and the community. Whenever possible, utilize native vegetative species which are disease and drought tolerant.

60.05.10.

- 5. Lighting Design.** Provide exterior lighting for buildings, parking lots, pedestrian pathways, vehicular areas, pedestrian plazas, public open spaces to ensure public safety and convenience, and to minimize excessive illumination on environmentally sensitive areas, adjoining properties, and streets.

60.05.15. Building Design and Orientation Standards. Unless otherwise noted, all standards apply in all zoning districts.

1. Building articulation and variety.

- A. Attached residential buildings in Residential zones shall be limited in length to two hundred (200) feet. [ORD 4542; June 2010]
- B. Buildings visible from and within 200 feet of an adjacent public street shall have a minimum portion of the street-facing elevation(s) and the elevation(s) containing a primary building entrance or multiple tenant entrances devoted to permanent architectural features designed to provide articulation and variety. These permanent features include, but are not limited to windows, bays and offsetting walls that extend at least eighteen inches (18”), recessed entrances, loading doors and bays, and changes in material types. Changes in material types shall have a minimum dimension of two feet and minimum area of 25 square feet. The percentage of the total square footage of elevation area is: [ORD 4584; June 2012]
 - 1. Thirty (30) percent in Residential zones, and all uses in Commercial and Multiple Use zones. [ORD 4584; June 2012]
 - 2. Fifty (50) percent in Commercial zones where glazing is less than thirty-five (35) percent pursuant to Section 60.05.15.8.A.3.
 - 3. Fifteen (15) percent in Industrial zones. [ORD 4462; January 2008]

In Industrial zones, where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities, the above standards shall apply only to elevations visible from and within 100 feet of an adjacent public street, and elevations that include a primary building entrance or multiple tenant entrances. [ORD 4659; June 2015]

60.05.15.1.

- C. The maximum spacing between permanent architectural features, both vertically and horizontally, shall be no more than:
 - 1. Forty (40) feet in Residential zones, and all uses in Commercial and Multiple Use zones. [ORD 4584; June 2012]
 - 2. Sixty (60) feet in Industrial zones.
 - 3. Fifteen (15) feet in detached residential developments in Multiple Use zones for walls facing streets, common greens, and shared courts. [ORD 4782; April 2020]
- D. In addition to the requirements of Section 60.05.15.1.B and C., detached and attached residential building elevations facing a street, common green or shared court shall not consist of undifferentiated blank walls greater than 150 square feet in area. Building elevations shall be articulated with architectural features such as windows, dormers, porch details, alcoves, balconies or bays. [ORD 4542; June 2010]

2. Roof forms.

- A. All sloped roofs exposed to view from adjacent public or private streets and properties shall have a minimum 4/12 pitch.
- B. Sloped roofs on residential uses in residential zones and on all uses in multiple use and commercial zones shall have eaves, exclusive of rain gutters, that must project from the building wall at least twelve (12) inches. [ORD 4584; June 2012]
- C. All roofs with a slope of less than 4/12 pitch shall be articulated with a parapet wall that must project vertically above the roof line at least twelve (12) inches or architecturally treated, such as with a decorative cornice. [ORD 4584; June 2012]
- D. When an addition to an existing structure or a new structure is proposed in an existing development, the roof forms for the new structures shall have similar slope and be constructed of the same materials as existing roofs.
- E. Smaller feature roofs are not subject to the standards of this Section.

60.05.15.

3. Primary building entrances.

- A. Primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, shall be covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided. The covered area providing weather protection shall be at least six (6) feet wide and four (4) feet deep.

4. Exterior building materials.

- A. For attached residential uses in Residential zones and all residential uses in Multiple Use zones, a minimum of seventy-five (75) percent of each elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space, and on elevations that include a primary building entrance or multiple tenant entrances shall be double wall construction. [ORD 4542; June 2010] [ORD 4584; June 2012]
- B. For Conditional Uses in Residential zones and all uses in Commercial and Multiple Use zones (except detached residential uses fronting streets, common greens and shared courts), a maximum of thirty (30) percent of each elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space, and on elevations that include a primary building entrance or multiple tenant entrances may be plain, smooth, unfinished concrete, concrete block, plywood and sheet pressboard. The remaining elevation area for all applicable uses in all applicable zones shall be architecturally treated. Appropriate methods of architectural treatment shall include, but are not limited to, scoring, changes in material texture, and the application of other finish materials such as wood, rock, brick or tile wall treatment. [ORD 4542; June 2010] [ORD 4576; January 2012] [ORD 4584; June 2012]

60.05.15.4.B.

This standard shall also apply to all uses in the Industrial zones, except for buildings containing manufacturing, fabricating, processing, packing, storage and wholesale and distribution facilities as a principal use of the site where this standard shall apply only to the primary elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space.

[ORD 4531; April 2010]

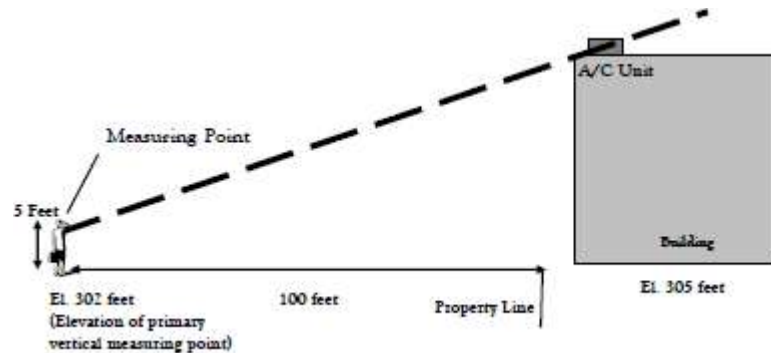
- C. For Conditional Uses in Residential zones and all uses in Commercial and Multiple Use zones, plain, smooth, exposed concrete and concrete block used as foundation material shall not be more than three (3) feet above the finished grade level adjacent to the foundation wall, unless pigmented, textured, or both. In Industrial districts, foundations may extend up to four (4) feet above the finished grade level. [ORD 4584; June 2012]

5. Roof-mounted equipment.

- A. All roof-mounted equipment shall be screened from view from adjacent streets or adjacent properties in one of the following ways:
1. A parapet wall; or
 2. A screen around the equipment that is made of a primary exterior finish material used on other portions of the building; or
 3. Setback from the street-facing elevation such that it is not visible from the public street(s); or
 4. Screened from view by another building. [ORD 4782; April 2020]

60.05.15.5.

- B. As shown in the diagram below, the vertical measuring distance for required screening shall be measured at five (5) feet above the finished or existing grade at the property line or public right-of-way abutting the development site's front yard setback for a distance of one hundred (100) lineal feet measured outward from the development site's front property line. Once the vertical measuring distance is established for the site's front yard, this same vertical measuring distance shall be applied to all sides of the development site's perimeter property lines. [ORD 4782; April 2020]



- C. Solar panels, dishes/antennas, pipes, vents, and chimneys are exempt from this standard.

6. Building location and orientation along streets in Commercial and Multiple Use zones. [ORD 4584; June 2012]

- A. Buildings in Multiple Use zones shall occupy a minimum public street frontage as follows:
1. 50 percent of the street frontage where a parcel abuts a Class 1 Major Pedestrian Route.
 2. 35 percent of the street frontage where a parcel abuts a Class 2 Major Pedestrian Route.
 3. 35 percent of the street frontage where a parcel does not abut any Major Pedestrian Route and the parcel exceeds 60,000 gross square feet. [ORD 4462; January 2008]

60.05.15.6.A.

4. 50 percent of the street frontage for detached residential projects where the parcel abuts any street, common green or shared court. [ORD 4542; June 2010] [ORD 4576; January 2012]
- B. [ORD 4462; January 2008] Buildings in Commercial zones shall occupy a minimum of 35 percent public street frontage where a parcel exceeds 60,000 gross square feet.
- C. Buildings subject to the street frontage standard shall be located no farther than 20 feet from the property line. The area between the building and property line shall be landscaped to standards found in Section 60.05.25.5.B. or 60.05.25.5.C.
- D. Buildings on corner lots of multiple Major Pedestrian Routes shall be located at the intersections of the Major Pedestrian Routes. Where a site has more than one corner on a Major Pedestrian Route, this requirement must be met at only one corner.
- E. Buildings subject to the street frontage standard shall have at least one primary building entrance oriented toward an abutting street or public pedestrian way. Where there is more than one abutting Class 1 Major Pedestrian Route, the primary entrance shall have a reasonably direct pedestrian connection to a minimum of one abutting Class 1 Major Pedestrian Route or shall be oriented to a Class 1 Major Pedestrian Route corner. [ORD 4706; May 2017]
 1. A minimum of one primary building entrance shall not be set back more than 20 feet from the abutting public street or public pedestrian way.
 2. Pedestrian connections to street oriented primary building entrances shall not cross vehicular circulation and parking areas.
- F. Secondary entrances may face on streets, off-street parking areas, or landscaped courtyards.

60.05.15.

7. Building scale along Major Pedestrian Routes.

- A. The height of any portion of a building at or within 20 feet of the property line as measured from the finished grade at the property line abutting a Major Pedestrian Route shall be a minimum of twenty- two (22) feet and a maximum of sixty (60) feet. Building heights greater than sixty (60) feet are allowed if the portion of a building that is greater than sixty (60) feet in height is at least twenty (20) feet from the property line that abuts the Major Pedestrian Route. In all cases, building height shall meet the requirement of Section 20.20.50. for the specific zoning district. [ORD 4462; January 2008] [ORD 4531; April 2010]
- B. Detached residential dwellings are exempt from the minimum height standard in Section 60.05.15.7.A. Building heights shall meet the requirements of Section 20.20.20. for the specific zoning district. [ORD 4542; June 2010]
- C. The maximum heights specified in Section 20.20.50. shall not be exceeded, unless separately authorized through an adjustment or variance application, or where credits are earned for height increase through Habitat Friendly Development Practices, as described in Section 60.12.40.4.B.2. [ORD 4531; April 2010]

8. Ground floor elevations on commercial and multiple use buildings.

- A. Except those used exclusively for residential use, ground floor elevations visible from and within 200 feet of a public street, Major Pedestrian Route, or a public park, public plaza or other public open space, and elevations that include a primary building entrance or multiple tenant entrances, shall have the following minimum percent of the ground floor elevation area permanently treated with windows, display areas or glass doorway openings.
 - 1. Class 1 Major Pedestrian Routes: Fifty (50) percent.
 - 2. Class 2 Major Pedestrian Routes: Thirty-five (35) percent.

60.05.15.8.A.

3. Buildings on parcels in excess of 25,000 gross square feet within a Commercial zoning district: Thirty-five (35) percent.

Less glazing may be provided in a Commercial zoning district when increased building articulation and architectural variety is provided pursuant to Section 60.05.15.1.B.2. of this Code.

For the purpose of this standard, ground floor elevation area shall be measured from three (3) feet above grade to ten (10) feet above grade the entire width of the elevation. The ground floor elevation requirements shall be met from grade to twelve (12) feet above grade.

- B. Except those used exclusively for residential use, ground floor elevations that are located on a Major Pedestrian Route, sidewalk, or other space where pedestrians are allowed to walk shall provide weather protection to the following minimum percent of the length of those elevations.

1. Class 1 Major Pedestrian Routes: Fifty (50) percent.
2. Class 2 Major Pedestrian Routes: Thirty-five (35) percent.

9. Compact Detached Housing design. [ORD 4584; June 2012]

- A. Primary building entrances and porches accessing a primary entrance shall face streets, common greens or shared courts and must meet the requirements of Section 60.05.15.3. Porches, if provided, shall have clear dimensions of at least six (6) feet wide and four (4) feet deep, and shall be covered by a roof. The primary entrance must be within 4 feet of grade, as measured as the average grade along the foundation of the longest wall of the building elevation containing the primary entrance or porch. [ORD 4576; January 2012]
- B. Elevations on residential units facing streets, common greens and shared courts shall have a minimum of 25 percent of the elevation area on each floor permanently treated with windows.

60.05.15.9.

- C. Windows shall be vertical or square in proportion. Horizontal windows may be created when vertical windows or a mixture of vertical and other shaped windows are grouped together, or there is a row of clerestory windows across the top of the grouped windows.
- D. [ORD 4576; January 2012] Alleys (including access easements) and shared courts are the preferred options to serve garages, and shall be provided on all lots except where topography, or other identified physical constraints preclude their use. Within a project, the majority of units shall have garages accessed from alleys or shared courts.
- E. When parking is provided in a garage facing a street or shared court, the following standards must be met:
 - 1. No more than fifty (50) percent of the horizontal length of the ground floor elevation facing a street or shared court shall be an attached garage door entrance (i.e., garage doorway) or 12 feet long, whichever is greater.
 - 2. Garages shall be recessed at least one and one half (1.5) feet from the ground floor front of the dwelling.
 - 3. There may be no more than two individual garage doors per dwelling unit.
 - 4. [ORD 4576; January 2012] The width of the driveway (at the back of sidewalk) shall not exceed 12 feet for single lane and 16 feet for double lane driveways.
 - 5. [ORD 4576; January 2012] A maximum of 50% of the units within a project shall have driveways 16 feet in width. No two lots of this configuration shall be adjacent to one another.
- F. Garages that face a street or shared court shall contain one or more of the following design features. Garages shall not terminate the view into shared courts from a public street unless they contain two or more of the following design features:

60.05.15.9.F.

1. Garage trellis or pergola extending at least 12 inches from the building face
 2. Windows on 15% of the garage door
 3. Decorative hardware
 4. Natural wood finish
 5. A recess of at least three (3) feet
 6. Multiple materials finish or colors are used
- G. Residential structures must have a roof that meets or exceeds the requirements of Section 60.05.15.2.
- H. There must be architectural detailing that varies from unit to unit. Architectural detailing includes but is not limited to the following list. Some design features include requirements that exceed a minimum standard found elsewhere in this code. Each dwelling shall utilize at least five (5) of the following design features:
1. The use of different exterior siding materials. In general, materials should change on horizontal planes, not vertical planes. Types of siding materials include:
 - a. Horizontal lap siding, including simulated horizontal lap siding where the boards in the pattern are 6 inches or less in width;
 - b. Vertical cedar siding;
 - c. Beveled siding,
 - d. Shingles
 - e. Stucco
 - f. Brick
 - g. Stone
 - h. Scored masonry
 - i. Changes in a combination of texture, pattern or color of a single material

60.05.15.9.H.

2. A primary sloped roof that is no flatter than 6/12 and no steeper than 12/12. (Exceeds the requirements of Section 60.05.15.2.).
3. A tile or shake roof.
4. One or more dormers on the front elevation.
5. Three or more gables.
6. Elevations on residential units facing streets, common greens and shared courts having at least 40 percent of the elevation area on each floor permanently treated with windows (Exceeds the requirements of Section 60.05.15.9.B.).
7. Window shutters on windows which face streets, common greens or shared courts.
8. Bay or bowed windows on the front elevation.
9. Trim marking roof lines, porches, windows and doors on all elevations. The trim must be at least 3-1/2 inches wide.
10. Weather protection for primary building entrances that exceed the minimum area requirements of Section 60.05.15.3. by 25%. [ORD 4584; June 2012]
11. Porches on the front elevation that have clear dimensions of at least eight feet wide and six feet deep and are covered by a roof supported by structurally integral columns or brackets.
12. Balcony on the same façade as the main entrance. The balcony must be at least 48 square feet and a minimum 8 feet wide and must be accessible from the interior living space of the house.
13. An attached garage with a gable or hip roof, or with a second story above the garage.

60.05.15.9.H.

14. Building face or roof offsets (minimum 12-inch offset) on the front elevation.
 15. Permanent planter boxes of at least 25 square feet constructed as an extension of a front elevation or primary building entrance.
 16. A landscaped courtyard of at least 100 square feet located as a transition element between a primary building entrance and a street, common green or shared court. The landscaping within the courtyard shall exceed the minimum requirements of Section 60.05.25.4. by 15%. [ORD 4576; January 2012]
 17. Other architectural or design elements that apply to at least 10 percent of the front elevation and result in visual interest, variety and beauty.
- I. Building elevations shall not be repeated across a street, shared court or common green from each other or on adjacent parcels. In these instances, elevations shall have at least 5 different design details as described in Section H. above. [ORD 4576; January 2012] [ORD 4782; April 2020]
- J. [ORD 4576; January 2012] The following minimum setbacks apply:
1. Front yard fronting common greens and shared courts – 3 feet
 2. Front yard fronting street – 5 feet to building, 3 feet to porch or stoop
 3. Side yard – 3 feet, or 8 feet if abutting a street [ORD 4584; June 2012]
 4. Rear yard – 0 feet
 5. Garage entrance setback – 18.5 feet

60.05.15.9.J.

6. No side, rear or garage entrance setback is required from a lot line abutting an alley or shared court.

K. [ORD 4576; January 2012] Minimum standards for alleys are:

1. Alley widths – 24 feet between buildings at the ground floor, and a paved area at least 16 feet wide
2. An alley may be up to 150 feet long. The Facilities Review Committee has the discretion to review alley length, with optional design requirements to allow for alleys to be longer than 150 feet. [ORD 4584; June 2012]

L. [ORD 4576; January 2012] The side building setback on one side of a structure may be zero, subject to the following:

1. The zero setback does not apply to the property line adjacent to a street or to the property line adjacent to lots that are not part of the zero lot line project
2. The minimum distance between all buildings in the zero lot line project must be equal to twice the required side yard setback shown in Section J.

10. Ground floor elevations on eligible residential-only buildings.
[ORD 4758; March 2019]

A. Eligible residential-only buildings are buildings which are located within the portions of the RC-OT zoning district where the maximum standard height is 40 feet, as described in footnote 11 of Section 20.20.15 and illustrated in Figure A. Residential-only buildings in these areas are not subject to the density limit if at least 50 percent of each elevation visible from and within 200 feet of a public street, Major Pedestrian Route, public park, public plaza or public open space contains one or both of the following methods of providing ground-floor pedestrian interest [ORD 4782; April 2020]:

1. Locate ancillary residential uses, such as a leasing office, fitness room, lobby, community room or combination of those ancillary spaces, on the ground level that meet the following standards:

60.05.15.10.A.1.

- a. Fifty (50) percent of the ground-floor elevation area, as measured between 2 feet above grade and 12 feet above grade, is permanently treated with clear and transparent glass with a visible transmittance of 60 percent or greater.
 - b. The ancillary spaces must be designed for active human usage rather than building systems or storage and shall not include inactive spaces such as storage rooms, utility rooms and mechanical rooms. This does not prohibit incidental storage inside offices or other active ancillary rooms.
 - c. Vehicle parking areas cannot be used to satisfy this criterion.
 - d. Building facades located on a shared property line are exempt from these standards. [ORD 4782; April 2020]
2. Provide ground floor units that meet the following standards:
- a. Each unit's primary pedestrian entry shall have access to and from the adjacent public right of way.
 - b. Each unit's entry shall not be elevated more than 4 feet above the grade of the adjacent right-of-way.
 - c. A direct path, having a minimum width of 5 feet, shall connect the adjacent right of way with the primary entrance.
 - d. Up to two (2) abutting connections may be combined.
 - e. Separate the street-facing ground-floor units by incorporating one of the following elements:

60.05.15.10.A.2.e.

- i. Provide a front porch for each street-facing ground-floor unit, having a minimum size of 48 square feet, with minimum dimensions to accommodate a 5-foot-by-6-foot rectangle inside the porch area. If the porch is recessed from the adjacent right of way, the area between the porch and right of-way shall be a minimum of 2 feet wide and landscaped. The landscaping shall include one or a combination of low-height plants, shrubs, and grass. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the landscape area.
 - ii. Provide a front landscaped area of at least 24 square feet for each street-facing ground-floor unit, having a minimum width of 4 feet. Use of bare gravel, rock, bark or other similar materials in this area shall be limited to no more than twenty-five (25) percent of the landscape area.
 - iii. Provide a raised planter between 18 inches and 4 feet in height and a minimum width of 2 feet. The raised planter shall span the length of the unit, except where a pedestrian connection is provided.
 - iv. If elevated, and railings are used along the stairs, landing, or porch, the railing shall be a minimum of 50 percent transparent.
- f. A minimum of 25 percent of the ground-floor façade shall be permanently treated with clear and transparent glass with a visible transmittance of 60 percent or greater.

[ORD 4542; June 2010]

60.05.20. Circulation and Parking Design Standards. Unless otherwise noted, all standards apply in all zoning districts.

1. Connections to the public street system.

- A. Pedestrian, bicycle, and motor vehicle connections shall be provided between the on-site circulation system and adjacent existing and planned streets as specified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan Transportation Element. [ORD 4531; April 2010]

2. Loading areas, solid waste facilities and similar improvements.

- A. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities shall be located in an area not visible from a public street or shall be fully screened from view from a public street. [ORD 4531; April 2010]
- B. Except for manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts, all loading docks and loading zones shall be located in an area not visible from a public street, or shall be fully screened from view from a public street.
- C. Screening from public view for service areas, loading docks, loading zones and outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities shall be fully sight-obscuring, shall be constructed a minimum of one foot higher than the feature to be screened, and shall be accomplished by one or more of the following methods:
1. Solid screen wall constructed of primary exterior finish materials utilized on primary buildings,
 2. Solid hedge wall with a minimum of ninety-five (95) percent opacity within two (2) years.
 3. Solid wood fence
- [ORD 4531; April 2010]
- D. Screening from public view by chain-link fence with or without slats is prohibited.

60.05.20.2.

- E. Screening of loading zones may be waived in Commercial and Multiple Use zones if the applicant demonstrates the type and size of loading vehicles will not detract from the project's aesthetic appearance and the timing of loading will not conflict with the hours or operations of the expected businesses. [ORD 4584; June 2012]

3. Pedestrian circulation.

- A. Pedestrian connections shall be provided that link to adjacent existing and planned pedestrian facilities as specified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan Transportation Element, and to the abutting public street system and on-site buildings, parking areas, and other facilities where pedestrian access is desired. Pedestrian connections shall be provided except when one or more of the following conditions exist:
 - 1. Where physical or topographic conditions, such as a grade change of ten (10) feet or more at a property line to an adjacent pedestrian facility, make connections impractical,
 - 2. Where uses including manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts occur,
 - 3. Where on-site activities such as movement of trucks, forklifts, and other large equipment would present potential conflicts with pedestrians, or
 - 4. Where buildings or other existing development on adjacent lands physically preclude a connection now or in the future.
- B. A reasonably direct walkway connection is required between primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, and public and private streets, transit stops, and other pedestrian destinations.

60.05.20.3.

- C. A reasonably direct pedestrian walkway into a site shall be provided for every 300 feet of street frontage or for every eight aisles of vehicle parking if parking is located between the building and the street. A reasonably direct walkway shall also be provided to any accessway abutting the site. This standard may be waived when topographic conditions, man-made features, natural areas, etc. preclude walkway extensions to adjacent properties.
- D. Pedestrian connections through parking lots shall be physically separated from adjacent vehicle parking and parallel vehicle traffic through the use of curbs, landscaping, trees, and lighting, if not otherwise provided in the parking lot design.
- E. Where pedestrian connections cross driveways or vehicular access aisles a continuous walkway shall be provided and shall be composed of a different paving material than the primary on-site paving material.
- F. Pedestrian walkways shall have a minimum of five (5) foot wide unobstructed clearance and shall be paved with scored concrete or modular paving materials. In the event that the Americans with Disabilities Act (ADA) contains stricter standards for any pedestrian walkway, the ADA standards shall apply. [ORD 4531; April 2010]

60.05.20.

4. Street frontages and parking areas.

- A. Surface parking areas abutting a public street shall provide perimeter parking lot landscaping which meets one of the following standards:
 - 1. A minimum six (6)-foot wide planting strip between the right-of-way and the parking area. Pedestrian walkways and vehicular driveways may cross the planting strip. Trees shall be planted at a minimum 2 1/2 inch caliper at a maximum of thirty (30) feet on center. Planting strips shall be planted with an evergreen hedge that will provide a 30-inch high screen and fifty (50) percent opacity within two years. The maximum height shall be maintained at no more than thirty-six (36) inches. Areas not covered by trees or hedge shall be landscaped with live ground cover. Bumper overhangs which intrude into the planting strip shall not impact required trees or hedge; or
 - 2. A solid wall or fence 30 to 36 inches in height parallel to and not nearer than four (4) feet from the right-of-way line. The area between the wall or fence and the street line shall be landscaped with live ground cover. Pedestrian walkways and vehicular driveways may cross the wall or fence.

5. Parking area landscaping.

- A. Landscaped planter islands shall be required according to the following:
 - 1. Residential uses in residential zones, one for every eight (8) contiguous parking spaces.
 - 2. All uses in Commercial and Multiple Use zones, one for every ten (10) contiguous parking spaces. [ORD 4584; June 2012]

60.05.20.5.A.

3. All Conditional Uses in Residential zones one for every twelve (12) contiguous parking spaces. [ORD 4584; June 2012]
 4. All uses in Employment / Industrial zones, one for every twelve (12) contiguous parking spaces. [ORD 4584; June 2012]
- B. The island shall have a minimum area of 70 square feet, and a minimum width of 6 feet, and shall be curbed to protect landscaping. The landscaped island shall be planted with a tree having a minimum mature height of 20 feet. If a pole-mounted light is proposed to be installed within a landscaped planter island, and an applicant demonstrates that there is a physical conflict for siting the tree and the pole-mounted light together, the decision-making authority may waive the planting of the tree, provided that at least seventy-five (75) percent of the required islands contain trees. Landscaped planter islands shall be evenly spaced throughout the parking area.
- C. Linear raised sidewalks and walkways within the parking area connecting the parking spaces and on-site building(s) may be counted towards the total required number of landscaped islands, provided that all of the following is met:
1. Trees are spaced a maximum of 30 feet on center on a minimum of one side of the sidewalk.
 2. The minimum unobstructed sidewalk width is five feet.
 3. The sidewalk is separated from the parking area by curbs, bollards, or other means on both sides.
 4. Trees are located in planting area with groundcover or planted in covered tree wells.
 5. Trees within the linear sidewalk area shall constitute no more than 50 percent of the total required number of trees within required landscaped planter islands. All remaining required trees shall be located within landscaped planter islands.

[ORD 4531; April 2010]

60.05.20.5.

- D. Trees planted within required landscaped planter islands or the linear sidewalk shall be of a type and species identified by the City of Beaverton Street Tree List or an alternative approved by the City Arborist.

6. Off-Street parking frontages in Multiple Use zones. [ORD 4584; June 2012]

- A. Off-Street surface parking areas shall be located to the rear or side of buildings. Surface parking areas located adjacent to public streets are limited to a maximum of:
 - 1. 50% of the street frontage along Class 1 Major Pedestrian Routes,
 - 2. 65% along Class 2 Major Pedestrian Routes, and
 - 3. 50% of the street frontage for detached residential projects along any street. [ORD 4542; June 2010]

7. Sidewalks along streets and primary building elevations in Commercial and Multiple Use zones. [ORD 4584; June 2012]

- A. A sidewalk is required on all streets. Except where approved through Sidewalk Design Modification (40.58), the sidewalk shall be a minimum of ten (10) feet wide and provide an unobstructed path at least five (5) feet wide. [ORD 4531; April 2010]
- B. A sidewalk or walkway internal to the site is required along building elevations that include a primary building entrance, multiple tenant entrances or display windows. The sidewalk shall be a minimum of ten (10) feet wide and provide an unobstructed path at least five (5) feet wide at building entrances, and along elevations containing display windows. Sidewalks shall be paved with scored concrete or modular paving materials. If adjacent to parking areas, the sidewalk shall be separated from the parking by a raised curb. [ORD 4531; April 2010]

60.05.20.7.

- C. Residential development fronting common greens and shared courts, and detached units fronting streets are exempt from these standards of 7.B above and are subject to the Engineering Design Manual. [ORD 4542; June 2010] [ORD 4576; January 2012]

8. Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Commercial, and Multiple Use zones. [ORD 4584; June 2012]

- A. Parking lot drive aisles that link public streets and/or private streets with parking stalls shall be designed as private streets consistent with the standard as described under Section 60.05.20.8.B., unless one of the following is met:
 - 1. The parking lot drive aisle is less than 100 feet long;
 - 2. The parking lot drive aisle serves 2 or less residential units; or
 - 3. The parking lot drive aisle provides direct access to angled or perpendicular parking stalls.
- B. Private streets, common greens, and shared courts shall meet the following standards:
 - 1. Private streets serving non-residential uses and residential uses having five or more units shall have raised curbs and minimum five (5) foot wide unobstructed sidewalks on both sides.
 - 2. Private streets serving less than five (5) residential units shall have raised curbs and a minimum five (5) foot wide unobstructed sidewalk on at least one side.
 - 3. When common greens and shared courts are utilized, an unobstructed walkway a minimum of five (5) feet wide shall be provided within the common green or shared court. [ORD 4542; June 2010]

[ORD 4531; April 2010]

60.05.20.

9. Ground floor uses in parking structures.

- A. Parking structures located on Major Pedestrian Routes shall incorporate one or more active retail or commercial uses other than parking at ground level along the entire portion of the structure fronting onto such routes. Compliance to this standard is not required when a semi-subterranean parking structure is proposed, provided that the height of such structures, or portions thereof, is not greater than three and one-half (3 1/2) feet above the elevation of the adjoining walkway or sidewalk.

60.05.25. Landscape, Open Space, and Natural Areas Design Standards.
Unless otherwise noted, all standards apply in all zoning districts.

1. Minimum landscape requirements for residential developments consisting of two (2) or three (3) units of Attached Housing or Compact Detached Housing. [ORD 4584; June 2012]

- A. All areas of the lot not occupied by structures or pavement shall be landscaped as defined in Section 60.05.25.4.

[ORD 4515; September 2009]

2. Minimum landscape requirements for residential developments consisting of four (4) to seven (7) units of Attached Housing or Compact Detached Housing. [ORD 4584; June 2012]

- A. For Attached Dwellings, a minimum of 15% of the gross site area shall be landscaped as defined in Section 60.05.25.4. [ORD 4584; June 2012]
- B. For Compact Detached Housing, an attached private patio or yard area of at least 300 square feet in size shall be provided. No dimension of private open space area shall be less than ten (10) feet. [ORD 4584; June 2012]
- C. Adjustments to these requirements are not permitted.

[ORD 4515; September 2009]

3. Minimum landscape requirements for residential developments consisting of eight (8) or more units of Attached Housing or Compact Detached Housing. [ORD 4584; June 2012]

- A. Common open space shall consist of active, passive, or both open space areas, and shall be provided as follows:
1. A minimum of 15% of the gross site area shall be landscaped as defined in Section 60.05.25.4. [ORD 4584; June 2012]
 2. For developments that are part of a Planned Unit Development, provisions of Section 60.35.15.4. shall apply. [ORD 4486; July 2008]

60.05.25.3.

- B. At least twenty-five (25) percent of the total required open space area shall be active open space. [ORD 4515; September 2009] [ORD 4542; June 2010] [ORD 4584; June 2012]
- C. For the purposes of this Section, environmentally sensitive areas shall be counted towards the minimum common open space requirement. Aboveground landscaped water quality treatment facilities shall be counted toward the minimum common open space requirement.
- D. For the purposes of this Section, vehicular circulation areas and parking areas, unless provided as part of a common green or shared court, shall not be considered common open space. [ORD 4542; June 2010]
- E. Individual exterior spaces such as outdoor patios and decks constructed to serve individual units shall count toward the common open space requirement, with the following restrictions: [ORD 4584; June 2012]
 - 1. Only a maximum of 120 square feet per unit may count toward the requirement. [ORD 4584; June 2012]
 - 2. Only patios and decks provided on the ground floor elevation level may count toward the requirement. [ORD 4584; June 2012]
- F. Common open space shall not abut a Collector or greater classified street as identified in the City's adopted Functional Classification Plan, unless that common open space shall be allowed adjacent to these street classifications where separated from the street by a constructed barrier at least three (3) feet in height.
- G. Common open space shall be no smaller than 640 square feet in area, shall not be divided into areas smaller than 640 square feet, and shall have minimum length and width dimensions of 20 feet. [ORD 4515; September 2009]
- H. In phased developments, common open space shall be provided in each phase of the development consistent with or exceeding the requirements for the size and number of dwelling units proposed.

60.05.25.3.

- I. Active common open spaces shall be included in all developments, and shall include at least two (2) of the following improvements:
 - 1. A bench or other seating with a pathway or other pedestrian way;
 - 2. A water feature such as a fountain;
 - 3. A children's play structure;
 - 4. A gazebo;
 - 5. Clubhouse;
 - 6. Tennis courts;
 - 7. An indoor or outdoor sports court; or
 - 8. An indoor or outdoor swimming and/or wading pool.
 - 9. Plaza
- J. The decision-making authority shall be authorized to consider other improvements in addition to those provided under subsection I, provided that these improvements provide a similar level of active common open space usage.

4. Additional minimum landscape requirements for Attached Housing and Compact Detached Housing. [ORD 4584; June 2012]

- A. All front yard areas and all required open space areas not occupied by structures, walkways, driveways, plazas or parking spaces shall be landscaped. [ORD 4542; May 2010] [ORD 4584; June 2012]
- B. Landscaping shall include live plants or landscape features such as fountains, ponds or other landscape elements. Bare gravel, rock, bark and similar materials are not a substitute for plant cover, and shall be limited to no more than twenty-five (25) percent of the landscape area.
- C. For the purposes of this Section, vehicular circulation areas and parking areas, unless provided as part of a shared court, shall not be considered landscape area. [ORD 4515; September 2009] [ORD 4542; June 2010]

60.05.25.4

- D. All street-facing building elevations shall have landscaping along their foundation, excluding buildings that are placed at the property line or setback less than 12-inches from the property line. When a porch obstructs a foundation, landscaping shall be installed along the outer edge of the porch. This landscaping requirement shall not apply to portions of the building facade that provide access for pedestrians or vehicles to the building, or for plazas adjacent to the building. The foundation landscaping shall meet the following minimum standards [ORD 4782; April 2020]:
1. The landscaped area shall be at least three (3) feet wide; and,
 2. For every three (3) lineal feet of foundation, an evergreen shrub having a minimum mature height of twenty-four (24) inches shall be planted; and,
 3. Groundcover plants shall be planted in the remainder of the landscaped area.
- E. The following minimum planting requirements for required landscaped areas shall be complied with. These requirements shall be used to calculate the total number of trees and shrubs to be included within the required landscape area:
1. One (1) tree shall be provided for every eight hundred (800) square feet of required landscaped area. Evergreen trees shall have a minimum planting height of six (6) feet. Deciduous trees shall have a minimum caliper of 1.5 inches at time of planting.
 2. One (1) evergreen shrub having a minimum mature height of forty-eight (48) inches shall be provided for every four hundred (400) square feet of required landscaped area.
 3. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area.

[ORD 4515; September 2009]

60.05.25.4.

F. A hard surface pedestrian plaza or combined hard surface and soft surface pedestrian plaza, if proposed shall be counted towards meeting the minimum landscaping requirement, provided that the hard-surface portion of the plaza shall not exceed twenty-five (25) percent of the minimum landscaping requirement. When a shared court is utilized in a residential development in a Multiple Use zone, hard surface areas shall not exceed seventy-five (75) percent of the minimum landscaping requirement. A hard surface area shall be comprised of the following: [ORD 4542; June 2010] [ORD 4584; June 2012]

1. Brick pavers, or stone, scored, or colored concrete; and,
2. One (1) tree having a minimum mature height of twenty (20) feet for every three hundred (300) square feet of plaza square footage; and,
3. Street furniture including but not limited to benches, tables, chairs, and trash receptacles; and, [ORD 4542; June 2010]
4. Pedestrian scale lighting consistent with the City's Technical Lighting Standards.

[ORD 4515; September 2009]

5. Minimum landscape requirements for non-residential developments and Mixed Use Development. [ORD 4542; May 2010] [ORD 4584; June 2012]

- A. A minimum portion of the total gross lot area shall be landscaped:
1. Conditional Uses in Residential districts, and all uses in Commercial and Industrial districts, fifteen (15) percent;
 2. All uses in Multiple Use districts, ten (10) percent.
 3. Environmentally sensitive areas shall be counted towards the minimum landscape requirement. Aboveground landscaped water quality treatment facilities shall be counted toward the minimum landscape requirement.

60.05.25.5.

- B. The following minimum planting requirements for required landscaped areas shall be complied with. These requirements shall be used to calculate the total number of trees and shrubs to be included within the required landscape area:
1. One (1) tree shall be provided for every eight hundred (800) square feet of required landscaped area. Evergreen trees shall have a minimum planting height of six (6) feet. Deciduous trees shall have a minimum caliper of 1.5 inches at time of planting.
 2. One (1) evergreen shrub having a minimum mature height of forty-eight (48) inches shall be provided for every four hundred (400) square feet of required landscaped area.
 3. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area.
- C. A hard surface pedestrian plaza or combined hard surface and soft surface pedestrian plaza, if proposed shall be counted towards meeting the minimum landscaping requirement, provided that the hard-surface portion of the plaza shall not exceed twenty-five (25) percent of the minimum landscaping requirement for Conditional Uses in Residential districts, and shall be comprised of the following:
1. Brick pavers, or stone, scored, or colored concrete; and,
 2. One (1) tree having a minimum mature height of twenty (20) feet for every three hundred (300) square feet of plaza square footage; and,
 3. Street furniture including but not limited to benches, tables, chairs and trash receptacles; and,
 4. Pedestrian scale lighting consistent with the City's Technical Lighting Standards.

60.05.25.5.

D. All building elevations visible from and within 200 feet of a public street that do not have windows on the ground floor shall have landscaping along their foundation, which shall be counted toward the minimum landscaped requirement. This landscaping requirement shall not apply to portions of the building facade that provide access for pedestrians or vehicles to the building, for plazas adjacent to the building, or when the building is within three (3) feet of the property line. The foundation landscaping shall be at least five (5) feet wide; and shall be comprised of the following:

1. One (1) tree having a minimum planting height of six (6) feet shall be planted for every thirty (30) lineal feet of foundation.
2. One (1) shrub having a minimum mature height of twenty-four (24) inches shall be planted for every three (3) lineal feet of foundation and shall be planted between required trees; and,
3. Groundcover plants shall be planted in the remainder of the landscaped area not occupied by required trees and shrubs, and shall not be planted in rows, but in a staggered manner for more effective covering.

6. **Common Greens.** Common greens are intended to serve as a common open space amenity for residents. The following standards apply to common greens for compact detached housing: [ORD 4782; April 2020]

A. General.

1. The common green shall be placed in a tract and shall provide access for pedestrians and bicycles. [ORD 4782; April 2020]
2. The minimum dimension of a common green is fifteen (15) feet and must include a 5 foot wide walkway. The size of the common green right-of-way must be sufficient to accommodate expected users and uses. The size must take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, natural features, and the community activities that may occur within the common green.

60.05.25.6.A.

3. Common greens may be dead-end or extend between streets. If a public pedestrian connection is provided, the pedestrian connection should either directly abut or pass through the common green, or be in close proximity. See Figure 1. Common greens may also have frontage on more than one intersecting street, if the green is located at the corner of the intersecting streets. See Figure 2.
4. Where a public pedestrian connection abuts or passes through a common green, the public pedestrian connection must include design features that distinguish the pedestrian connection from the common green, such as perimeter landscaping, low decorative fencing, or paving materials.
5. Parking for dwellings fronting a common green shall be accessed from an alley or access easement.

Figure 1

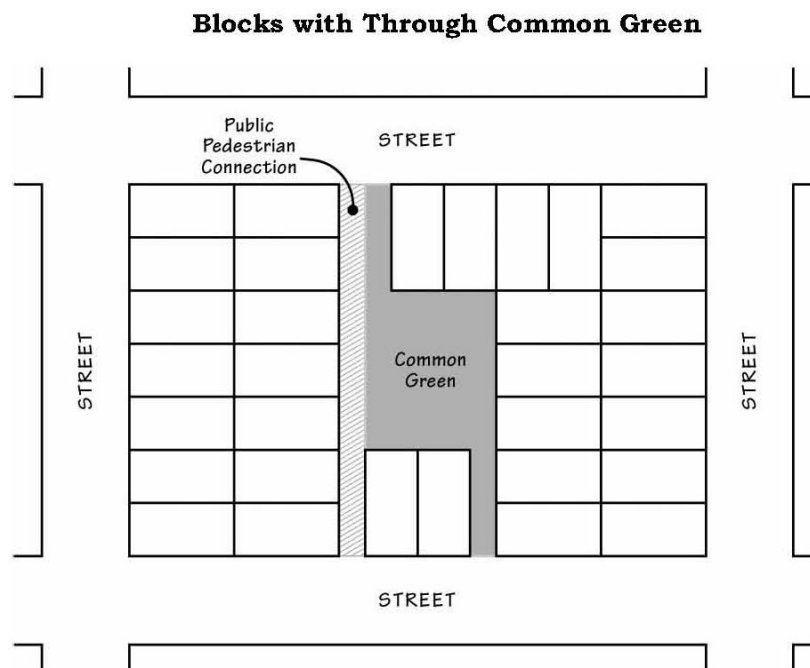
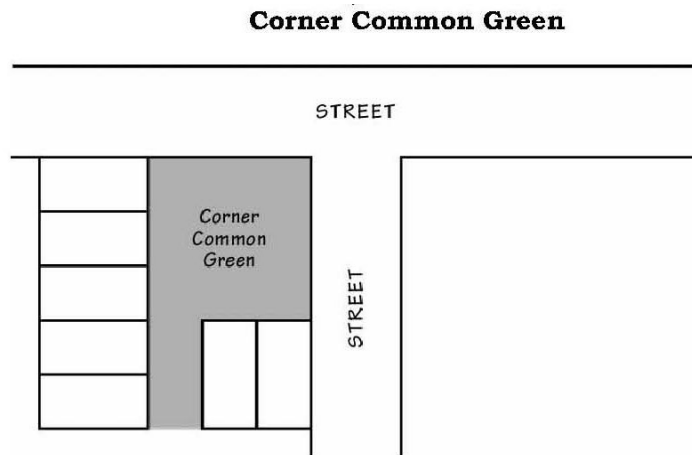


Figure 2

60.05.25.6



[ORD 4542; June 2010]

- 7. Shared Courts for Compact Detached Housing.** Shared courts are intended to serve pedestrians and vehicles within the same circulation area, while ensuring that all can use the area safely. See Figure 3. Special paving and other street elements should be designed to encourage slow vehicle speeds and to signify the shared court's intended use by pedestrians as well as vehicles. See Figure 4. Access from a shared court is limited to ensure low traffic volumes that can allow a safe mixing of pedestrians and vehicles. Shared courts are limited to zones intended for more intense development to facilitate efficient use of land while preserving the landscape-intensive character of lower-density zones. The following standards apply to shared courts: [ORD 4584; June 2012] [ORD4782; April 2020]

A. General.

1. The minimum width of a shared court right-of-way is 20 feet. The size of the shared court right-of-way must be sufficient to accommodate expected users and uses. The size must take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, traffic safety, natural features, and the community activities that may occur within the shared court.

60.05.25.7.A.

2. A shared court may be up to 150 feet long. The Facilities Review Committee may allow longer shared courts, subject to additional conditions of approval or design requirements. [ORD 4584; June 2012]
3. Shared courts shall not allow through movement of vehicles to two or more streets unless specifically allowed by the Facilities Review Committee, which may impose additional conditions of approval or design requirements. [ORD 4584; June 2012]
4. No more than 16 lots may have a front lot line on a shared court. [ORD 4782; April 2020]

B. Shared Court paving design.

1. Vehicle maneuvering, parking and emergency access areas within shared courts shall be constructed of brick pavers, stone, or scored or colored concrete. Asphalt is permitted within a shared court, but shall not exceed 25 percent of the area of a shared court.
2. Varied paving materials and colors, bollards, fences, landscaping, lighting and other street furnishings shall be used to differentiate vehicle activities within shared courts from other activities such as pedestrian areas, bicycle areas, play areas, gardens, etc.
3. Driveway widths for the first twenty (20) feet where a shared court meets a public street are:
 - a. Ten feet where a driveway provides access to 10 or fewer units on a Local Street, and
 - b. Twenty feet where a driveway provides access to more than 10 units or when access is on a Collector or Arterial street. [ORD 4584; June 2012]

60.05.25.7.

Figure 3
Shared Court Diagram

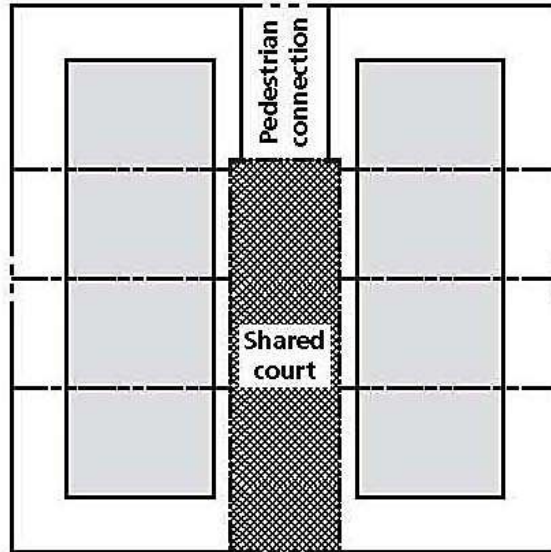
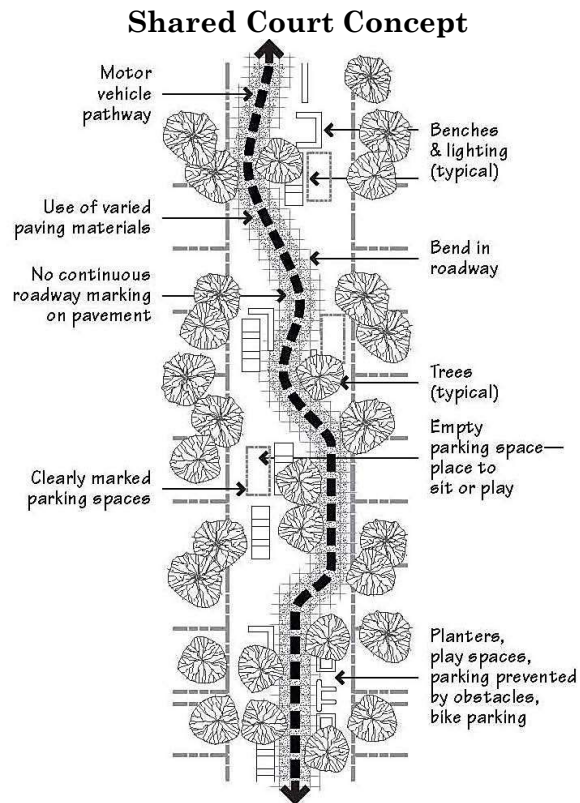


Figure 4



[ORD 4542; June 2010]

60.05.25.

8. **Retaining walls.** Retaining walls greater than six (6) feet in height or longer than fifty (50) lineal feet used in site landscaping or as an element of site design shall be architecturally treated with contrasting scoring, or texture, or pattern, or off-set planes, or different applied materials, or any combination of the foregoing, and shall be incorporated into the overall landscape plan, or shall be screened by a landscape buffer. Materials used on retaining walls should be similar to materials used in other elements of the landscape plan or related buildings, or incorporate other landscape or decorative features exclusive of signs. If screening by a landscape buffer is utilized, a buffer width of at least five (5) feet is required, landscaped to the B3-High Screen Buffer standards.
9. **Fences and walls.**
 - A. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood, stone, rock, or brick, or other durable materials.
 - B. Chain link fences are acceptable as long as the fence is coated and includes slats made of vinyl, wood or other durable material. Slat may not be required when visibility into features such as open space, natural areas, parks and similar areas is needed to assure visual security, or into on-site areas in industrial zones that require visual surveillance.
 - C. Masonry walls shall be a minimum of six inches thick. All other walls shall be a minimum of three inches thick.
 - D. For manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts, the preceding standards apply when visible from and within 200 feet of a public street.
 - E. Fences and walls:
 1. May not exceed three feet in height in a required front yard along streets, except required above ground stormwater facilities fencing which may be four feet in height in a required front yard, and eight feet in all other locations. [ORD 4659; June 2015]

60.05.25.9.E

2. May be permitted up to six feet in a required front yard along designated Collector and Arterial streets.
 3. [ORD 4576; January 2012] For detached housing along streets and housing facing common greens and shared courts in Multiple Use zones, 3 feet high fences and walls are permitted in front of the building, and on corner lots abutting a street, along the side of the building. Higher fences and walls are permitted on corner lots along the side of the building beginning within 15 feet of the back end of the building nearest to the property line.
- 10. Minimize significant changes to existing on-site surface contours at residential property lines.** [ORD 4782; April 2020]
- A. Where grading is proposed, the requirements listed in Section 60.15.10 shall apply.
 - B. Notwithstanding the requirements of subsection A. above, grading within 25 feet of a property line shall not change the existing slopes by more than ten percent within a tree root zone of an identified Significant Individual Tree, identified Historic Tree, or a tree within an identified Significant Grove or Significant Natural Resource Area located on an abutting property unless evidence provided by a certified arborist supports additional grading that will not harm the subject grove or tree.
- 11. Integrate water quality, quantity, or both facilities.** Non-vaulted surface stormwater detention and treatment facilities having a side slope greater than 2:1 shall not be located between a street and the front of an adjacent building.
- 12. Natural areas.** Development on sites with City-adopted natural resource features such as streams, wetlands, significant trees and significant tree groves, shall preserve and maintain the resource without encroachment into any required resource buffer standard unless otherwise authorized by other City or CWS requirements. [ORD 4531; April 2010]

60.05.25.

- 13. Landscape buffering and screening.** All new development and redevelopment in the City subject to Design Review shall comply with the landscape buffering requirements of Table 60.05-2. and the following standards. For purposes of this Section, a landscape buffer is required along the property lines between different zoning district designations. A landscape buffer is required for non-residential land uses and parks in Residential zoning districts. Both buffering standards and side and rear building setback requirements shall be met. Only landscaping shall be allowed in the landscape buffer areas. Buffer areas and building setback standards are measured from the property line, they are not additive. Where a yard setback width is less than a landscape buffer width, the yard setback width applies to the specified buffer designation (B1, B2, or B3 as appropriate). A landscape buffer width cannot exceed a minimum yard setback dimension. In addition, the buffer area and landscape standard are intended to be continuously applied along the property line, except as authorized under Section 60.05.45.10. [ORD 4584; June 2012] [ORD 4782; April 2020]

A. Applicability of buffer standards:

1. The buffer standards shall not be applicable to individual single-family buildings on individual parcels.
2. The buffer standards shall not apply to areas where emergency access is required.
3. The buffer standards shall not apply to areas where a public utility easement exists. This exemption only applies to trees and does not exempt the requirement of shrubs and ground cover.
4. The buffer standards shall not apply along property lines where a non-residential use is already buffered by a natural feature or an open space dedication, if such a natural buffer or dedication is at least 40 feet in width, or if the width of the natural feature or open space dedication and the density and quality of landscaping meet or exceed the applicable landscape buffer standard.

60.05.25.13.A.

5. The buffer standards shall not apply where required for visual access purposes as determined by the City Traffic Engineer or City Police. This exemption only applies to trees and shrubs and does not exempt the requirement of ground cover. [ORD 4531; April 2010]

B. B1-Low screen buffer: This buffer is intended to provide a minimal amount of transitional screening between zones. This buffer consists of: 1) one (1) tree having a minimum planting height of six (6) feet for every thirty (30) linear feet; and 2) live ground cover consisting of low-height plants, or shrubs, or grass proportionately spaced between the trees with actual spacing for low height plants or shrubs dependent upon the mature spread of the vegetation. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required buffer area. Deciduous trees having a minimum two-inch caliper at time of planting may be planted in the B1 buffer required for across the street. [ORD 4782; April 2020]

C. B2-Medium screen buffer: This buffer is intended to provide a moderate degree of transitional screening between zones. This buffer consists of live ground cover consisting of low-height plants, or shrubs, or grass, and 1) one (1) tree having a minimum planting height of six (6) feet for every thirty (30) linear feet; 2) evergreen shrubs which reach a minimum height of four (4) to six (6) feet within two (2) years of planting planted proportionately between the required evergreen trees. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Actual spacing for low height plants or shrubs or evergreen shrubs shall be dependent upon the mature spread of the selected vegetation. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area. Deciduous trees having a minimum two-inch caliper at time of planting may be planted in the B2 buffer required for across the street. [ORD 4782; April 2020]

60.05.25.13.

D. B3-High screen buffer: This buffer is intended to provide a high degree of visual screening between zones. This buffer consists of minimum six (6)-foot high fully sight obscuring fences or walls with an adjoining landscape area on the interior of the fence when the fence is proposed within three (3) feet of the property line. If the fence is proposed to be setback from the property line more than three feet, the landscaping shall be on the exterior of the fence within a landscape area a minimum of five (5) feet in width, with adequate provision of access and maintenance of the landscaped area. The height of the fence shall be measured from the property on which the fence is to be located, and, if located on a wall, shall be in addition to the height of the wall. The landscape area shall be planted with one (1) tree having a minimum planting height of six (6) feet for every thirty (30) linear feet, filled between with evergreen shrubs which reach a minimum height of four (4) to six (6) feet within two (2) years of planting. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Actual spacing for low height plants or shrubs or evergreen shrubs shall be dependent upon the mature spread of the selected vegetation. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area. [ORD 4782; April 2020]

E. Changes to buffer widths and standards: Required buffer widths and buffer standards are the minimum requirements for buffering and screening. Changes in buffer widths and standards shall be reviewed through the public hearing process, except for the following:

1. A request for a reduction in the buffer width when a B2 or B1 buffer standard is required and the reduction in buffer width is five (5) feet or less, shall be reviewed through administrative authorization provided that the next highest buffer standard is implemented.

Requests for changes in buffer widths and buffer standards shall only be authorized in review of the Design Review Guidelines for Landscape buffering and screening (Section 60.05.45.10.). [ORD 4584; June 2012]
[ORD 4531; April 2010]

60.05.25.13.

- F. Landscaping buffering installation:** All required buffering shall be installed prior to occupancy permit issuance.
- G. Pedestrian plazas in buffer areas:** For non-residential development in non-residential zoning districts, in which the building is proposed to be placed at the required front yard buffer line, concrete or brick pavers shall be authorized in place of required live groundcover, or bark, or grass, for the length of the building for the front yard only; provided that required trees are still installed, the paved area is connected to the public sidewalk, and pedestrian amenities including but not limited to benches or tables, are provided.

14. Community Gardens

- A. Fences.** Community Gardens shall have a fence constructed of a durable materials commonly used in the construction of fencing. Fences shall be a minimum of four (4) feet in height. Coated chain link may be permitted. Temporary construction fencing, erosion control fencing, tree protection fencing and other temporary fencing materials shall not be permitted.
- B. Parking.** Parking must be available in the general vicinity of the garden, on-street parking spaces may count toward this requirement.
- C. Size.** Community gardens shall not exceed one acre in size.

[ORD 4659; June 2015]

60.05.30. Lighting Design Standards. Unless otherwise noted, all standards apply in all zoning districts.

1. Adequate on-site lighting and minimal glare on adjoining properties. [ORD 4584; June 2012]

- A. Lighting shall be provided at lighting levels for development and redevelopment in all zoning districts consistent with the City's Technical Lighting Standards.
- B. Lighting shall be provided in vehicular circulation areas and pedestrian circulation areas.
- C. Lighting shall be provided in pedestrian plazas, if any developed.
- D. Lighting shall be provided at building entrances.
- E. Canopy lighting shall be recessed so that the bulb or lens is not visible from a public right-of-way.

2. Pedestrian-scale on-site lighting.

- A. Pole-mounted Luminaires shall comply with the City's Technical Lighting Standards, and shall not exceed a maximum of:
 - 1. Fifteen (15) feet in height for on-site pedestrian paths of travel.
 - 2. Twenty (20) feet in height for on-site vehicular circulation areas for residential uses in Residential zoning districts.
 - 3. Thirty (30) feet in height for on-site vehicular circulation areas in non-residential zoning districts.
 - 4. Fifteen (15) feet for the top deck of non-covered parking structures.
 - 5. The height of the poles for on-site pedestrian ways and on-site vehicular circulation areas shall be measured from the site's finished grade.

60.05.30.2.A.

6. The height of the poles on the top deck of non-covered parking structures shall be measured from the finished floor elevation of the top deck.
 7. The poles and bases for pole-mounted luminaires shall be finished or painted a non-reflective color.
- B. Non-pole-mounted luminaires shall comply with the City's Technical Lighting Standards.
- C. Lighted bollards when used to delineate on-site pedestrian and bicycle pathways shall have a maximum height of forty-eight (48) inches.

60.05.35. Building Design and Orientation Guidelines. Unless otherwise noted, all guidelines apply in all zoning districts.

- 1. Building articulation and variety.** [ORD 4584; June 2012]
 - A. Residential buildings should be of a limited length in order to avoid undifferentiated building elevations, reduce the mass of individual buildings, and create a scale of development that is pedestrian friendly and allow circulation between buildings by pedestrians. (Standard 60.05.15.1.A)
 - B. Building elevations should be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in architectural elements such as: building elevations, roof levels, architectural features, and exterior finishes should be provided. (Standards 60.05.15.1.A and B)
 - C. To balance horizontal features on longer building elevations, vertical building elements, such as building entries, should be emphasized. (Standard 60.05.15.1.B)
 - D. Buildings should promote and enhance a comfortable pedestrian scale and orientation. This guideline does not apply to buildings in Industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.1.B) [ORD 4531; April 2010]
 - E. Building elevations visible from and within 200 feet of an adjacent street or major parking area should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street, common green, shared court, or major parking area should be avoided. (Standards 60.05.15.1.B, C, and D) [ORD 4542; June 2010]

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- F. Building elevations visible from and within 100 feet of an adjacent street where the principle use of the building is manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities in an Industrial zoning district, should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street should be avoided. (Standards 60.05.15.1.B and C)

2. Roof forms. [ORD 4584; June 2012]

- A. Roof forms should be distinctive and include variety and detail when viewed from the street. Sloped roofs should have a significant pitch and building focal points should be emphasized. (Standards 60.05.15.2.A and B)
- B. Flat roofs should include a roofline that provides visual interest such as cornice treatments. (Standard 60.05.15.2.C) [ORD 4782; April 2020]
- C. Additions to existing structures which involve the addition of new roof area should respect the roof form and material of the existing structure. (Standard 60.05.15.2.D)

3. Primary building entrances.

- A. The design of buildings should incorporate features such as arcades, roofs, porches, alcoves, porticoes, awnings, and canopies to protect pedestrians from the rain and sun. This guideline does not apply to buildings in Industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.3) [ORD 4531; April 2010]
- B. Special attention should be given to designing a primary building entrance that is both attractive and functional. Primary entrances should incorporate changes in mass, surface, or finish to emphasize the entrance. (Standard 60.05.15.3)

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4. Exterior building materials.

- A. Exterior building materials and finishes should convey an impression of permanence and durability. Materials such as masonry, stone, wood, terra cotta, and tile are encouraged. Windows are also encouraged, where they allow views to interior activity areas or displays. (Standards 60.05.15.4.A and B)
- B. Where masonry is used, decorative patterns (other than running bond pattern) should be provided, especially at entrances, building corners and at the pedestrian level. These decorative patterns may include multi-colored masonry units, such as brick, tile, stone, or cast stone, in a layered or geometric pattern, or multi-colored ceramic tile bands used in conjunction with materials such as concrete. This guideline does not apply to development in Industrial zones, where masonry is used for exterior finishes. (Standards 60.05.15.4.B and C) [ORD 4531; April 2010]

5. Screening of equipment. All roof, surface, and wall-mounted mechanical, electrical, communications, and service equipment should be screened from view from adjacent public streets by the use of parapets, walls, fences, enclosures, dense evergreen foliage, or by other suitable means. (Standards 60.05.15.5.A through C)

6. Building location and orientation in Commercial and Multiple Use zones. [ORD 4584; June 2012] [ORD 4706; May 2017]

- A. Buildings should be oriented toward and located within close proximity to public streets and public street intersections. The overall impression should be that architecture is the predominant design element over parking areas and landscaping. Property size, shape and topographical conditions should also be considered, together with existing and proposed uses of the building and site, when determining the appropriate location and orientation of buildings. (Standards 60.05.15.6.A and B) [ORD 4462; January 2008] [ORD 4531; April 2010] [ORD 4706; May 2017]
- B. On Class 1 Major Pedestrian Routes, the design of buildings located at the intersection of two streets should consider the use of a corner entrance to the building. (Standards 60.05.15.6.B and D) [ORD 4531; April 2010]

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- C. On Class 1 Major Pedestrian Routes, building entrances should be oriented to streets, or have reasonably direct pedestrian connections to streets and pedestrian and transit facilities. (Standards 60.05.15.6.C and D) [ORD 4365; October 2005]
- D. Primary building entrances should be oriented toward and located in close proximity to public streets and public street intersections. Property size, shape and topographical conditions should also be considered. (Standard 60.05.15.6.E) [ORD 4706; May 2017]

7. Building scale along Major Pedestrian Routes.

- A. Architecture helps define the character and quality of a street. Along Major Pedestrian Routes, low height, single story buildings located at the right-of-way edge are discouraged except where detached single family dwellings are permitted. (Standards 60.05.15.7.A and B) [ORD 4542; June 2010]
- B. Building heights at or near the street should help form a sense of enclosure, but should not create an undifferentiated high wall out of scale with pedestrians. Building heights at the street edge should be no higher than sixty (60) feet without the upper portions of the building being set back from the vertical building line of the lower building stories. (Standard 60.05.15.7.A) [ORD 4531; April 2010]

8. Ground floor elevations on commercial and multiple use buildings.

- A. Excluding residential only development, ground floor building elevations should be pedestrian oriented and treated with windows, display areas or glass doorway openings to the extent possible and where appropriate to the design and use of the building. This guideline particularly applies to ground floor building elevations situated along Major Pedestrian Routes. (Standard 60.05.15.8.A) [ORD 4531; April 2010]
- B. Except those used exclusively for residential use, ground floor elevations that are located on a Major Pedestrian Route, sidewalk, or other space where pedestrians are allowed to walk should provide weather protection for pedestrians on building elevations. (Standard 60.05.15.8.B)

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9. Compact Detached Housing design. [ORD 4584; June 2012]

- A. Building elevations facing streets, shared courts, and common greens should include pedestrian oriented design elements and other design features that provide articulation, variety, interest and quality. (Standards 60.05.15.9.A, B, C, G, H, I, J, K, and L) [ORD 4576; January 2012]
- B. [ORD 4576; January 2012] Alleys and shared courts are the preferred option to serve garages, and should be provided on all lots except where topography or other identified physical constraints preclude their use. (Standards 60.05.15.9.D and K)
- C. Garage openings should not be a dominant feature within shared courts. (Standards 60.05.15.9.D, E, and F) [ORD 4576; January 2012]
- D. [ORD 4576; January 2012] The impact of curb cuts and driveways along shared courts and streets should be minimized. (Standard 60.05.15.9.E)

[ORD 4542; June 2010]

10. Ground floor elevations on eligible residential-only buildings. [ORD 4758; March 2019]

- A. Eligible residential-only buildings are buildings which are located within the portions of the RC-OT zoning district where the maximum standard height is 40 feet, as described in footnote 17 of Section 20.20.15 and illustrated in Figure A. Residential-only buildings in this area may exceed the density but should avoid long, uninterrupted blank walls and incorporate pedestrian-oriented design features on the ground floor to generate ground-floor pedestrian interest. This guideline particularly applies to ground-floor building elevations visible from a public street, Major Pedestrian Route, public park, public plaza or public open space. One or more of the following methods shall be used to provide ground-floor pedestrian interest:
 - 1. The primary use(s) on the ground floor should generate frequent human usage and incorporate sufficient glazing to allow high levels of visibility through window glazing into the building.

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2. Provide ground-floor units with the following:
 - a. Direct and convenient access to the street.
 - b. Design features that provide a transition between public spaces and ground-floor residential units to distinguish between the public and private realms.
 - c. Ample levels of glazing to ensure articulation on the façade, daylighting of interior spaces and visibility into the street.
3. Other methods of avoiding long, uninterrupted blank walls and incorporating pedestrian-oriented design features on the ground floor to generate pedestrian interest as approved by the Planning Commission.

60.05.40. Circulation and Parking Design Guidelines.

Unless otherwise noted, all guidelines apply in all zoning districts.

- 1. Connections to public street system.** The on-site pedestrian, bicycle, and motor vehicle circulation system and the abutting street system should provide for efficient access and circulation, and should connect the project to abutting streets in accordance with connections identified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan. (Standard 60.05.20.1) [ORD 4531; April 2010]
- 2. Loading area, solid waste facilities, and similar improvements.**
 - A. On-Site service, storage and similar activities should be designed and located so that these facilities are screened from an abutting public street. (Standard 60.05.20.2)
 - B. Except in Industrial districts, loading areas should be designed and located so that these facilities are screened from an abutting public street, or are shown to be compatible with local business operations. (Standard 60.05.20.2)
- 3. Pedestrian circulation.**
 - A. Pedestrian connections should be made between on-site buildings, parking areas, and open spaces. (Standard 60.05.20.3.A)
 - B. Pedestrian connections should connect on-site facilities to abutting pedestrian facilities and streets unless separated by barriers such as natural features, topographical conditions, or structures. (Standard 60.05.20.3.A)
 - C. Pedestrian connections should link building entrances to nearby streets and other pedestrian destinations. (Standard 60.05.20.3.B)
 - D. Pedestrian connections to streets through parking areas should be evenly spaced and separated from vehicles (Standards 60.05.20.3.C through E)
 - E. Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts, pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standards 60.05.20.3.A through H)

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- F. Pedestrian connections should be designed for safe pedestrian movement and constructed of hard durable surfaces. (Standards 60.05.20.3.F through G)
- 4. **Street frontages and parking areas.** Landscape or other screening should be provided when surface parking areas are located along public streets. (Standard 60.05.20.4)
- 5. **Parking area landscaping.** Landscape islands and a tree canopy should be provided to minimize the visual impact of large parking areas. (Standards 60.05.20.5.A through D)
- 6. **Off-Street parking frontages in Multiple Use zones.** [ORD 4462; January 2008] [ORD 4584; June 2012]
 - A. Surface parking should occur to the side or rear of buildings and should not occur at the corner of two Major Pedestrian Routes. (Standard 60.05.20.6)
 - B. Surface parking areas should not be the predominant design element along Major Pedestrian Routes and should be located on the site to safely and conveniently serve the intended users of the development, without precluding future site intensification. (Standard 60.05.20.6)
- 7. **Sidewalks along streets and primary building elevations in Commercial and Multiple Use zones.** [ORD 4584; June 2012]
 - A. Pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standard 60.05.20.7.A)
 - B. Pedestrian connections should be provided along primary building elevations having building and tenant entrances. (Standard 60.05.20.7.B)

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8. **Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Commercial and Multiple Use zones.** [ORD 4584; June 2012]
 - A. On-Site vehicle circulation should be easily recognized and identified, and include a higher level of improvements such as curbs, sidewalks, and landscaping compared to parking lot aisles. (Standard 60.05.20.8) [ORD 4531; April 2010]
 - B. Long, continuous parking aisles should be avoided if possible, and landscaped as necessary to minimize the visual impact. (Standard 60.05.20.8)
9. **Parking structures in Multiple Use zones.** [ORD 4584; June 2012]

Active ground floor uses should be incorporated in parking structures, particularly on street level elevations facing Major Pedestrian Routes. (Standard 60.05.20.9) [ORD 4531; April 2010]

60.05.45. Landscape, Open Space and Natural Areas Design Guidelines.
Unless otherwise noted, all guidelines apply in all zoning districts.

1. Common open space for residential uses in Residential zones.

- A. Common open spaces should be provided that are sized and designed for anticipated users, and are located within walking distance for residents and visitors, and should be integrated into the overall landscape plan. (Standards 60.05.25.1 through 3)
- B. Common open spaces should be available for both passive and active use by people of all ages, and should be designed and located in order to maximize security, safety, and convenience. (Standards 60.05.25.1 through 3)
- C. Common open spaces should be free from all structural encroachments unless a structure is incorporated into the design of the common open space such as a play structure. (Standards 60.05.25.1 through 3)
- D. Common open space should be located so that windows from living areas, excluding bedrooms and bathrooms, of a minimum of four (4) residences face on to the common open space. (Standards 60.05.25.1 through 3)

2. Minimum landscaping in Residential zones.

- A. Landscape treatments utilizing plants, hard-surface materials, or both should be provided in the setback between a street and a building. The treatment should enhance architectural elements of the building and contribute to a safe, interesting streetscape. (Standard 60.05.25.4)
- B. Landscaping should soften the edges of buildings and parking areas, add aesthetic interest, and generally increase the attractiveness of a development and its surroundings. (Standard 60.05.25.4)

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3. Minimum landscaping for Conditional Uses in Residential zones and for developments in Commercial, Industrial, and Multiple Use zones.

- A. Landscaping should soften the edges of buildings and parking areas, add aesthetic interest, and generally increase the attractiveness of a development and its surroundings. (Standards 60.05.25.5.A, B, and D)
- B. Plazas and common areas designed for pedestrian traffic should be surfaced with a combination of landscape and decorative pavers or decorative concrete. (Standard 60.05.25.5.C)
- C. Use of native vegetation should be emphasized for compatibility with local and regional climatic conditions. (Standards 60.05.25.5.A and B)
- D. Existing mature trees and vegetation should be retained and incorporated, when possible, into the site design of a development. (Standards 60.05.25.5.A and B)
- E. A diversity of tree and shrub species should be provided in required landscaped areas. (Standard 60.05.25.5)

4. Common Greens. [ORD 4584; June 2012]

- A. Common greens should be designed to provide access for only pedestrians and bicycles to abutting properties. Common greens should also serve as a common open space amenity for residents. (Standard 60.05.25.6)
- B. The size of the common green right-of-way should be sufficient to accommodate expected users and uses. The size must take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, natural features, and the community activities that may occur within the common green. (Standard 60.05.25.6.A.1)
- C. When a public pedestrian connection is desired, it should be designed as a distinct feature to distinguish it from an adjacent common green. (Standards 60.05.25.6.A.2 and 3)

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- D. Common greens should not provide access to parking. (Standard 60.05.25.6.A.4)

[ORD 4542; June 2010]

5. Shared Courts.

- A. Shared courts should safely accommodate pedestrians and vehicles within the same circulation area and provide safe access to abutting properties. Special paving and other street elements should be designed to encourage slow vehicle speeds and to signify the shared court's intended use by pedestrians as well as vehicles. (Standards 60.05.25.7.A and B)
- B. The size and length of a shared court should be sufficient to accommodate expected users and uses. The size and length should take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, traffic safety, natural features, and the community activities that may occur within the shared court. (Standards 60.06.25.7.A and .B)

[ORD 4542; June 2010]

- 6. Retaining walls.** Retaining walls over six (6) feet in height or greater than fifty (50) feet in length should be architecturally treated, incorporated into the overall landscape plan, or screened by landscape material. (Standard 60.05.25.8) [ORD 4576; January 2012]

7. Fences and walls.

- A. Fences and walls should be constructed of attractive, durable materials. (Standard 60.05.25.9) [ORD 4576; January 2012]
- B. Fences and walls constructed in front yards adjacent to public streets should provide the opportunity to view into the setback from the street unless high traffic volumes or other conflicts warrant greater security and protection. (Standard 60.05.25.9.E) [ORD 4576; January 2012]

- 8. Changes to existing on-site surface contours at residential property lines.** The perimeters of properties should be graded in a manner to avoid conflicts with abutting residential properties such as drainage impacts, damage to tree root zones, and blocking sunlight. (Standard 60.05.25.10) [ORD 4576; January 2012]

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9. **Integrate water quality, quantity, or both facilities.** Above-ground stormwater detention and treatment facilities should be integrated into the design of a development site and, if visible from a public street, should appear as a component of the landscape design. (Standard 60.05.25.11) [ORD 4576; January 2012]
10. **Natural areas.** Natural features that are indigenous to a development site, such as streams, wetlands, and mature trees should be preserved, enhanced and integrated when reasonably possible into the development plan. (Standard 60.05.25.12) [ORD 4531; April 2010] [ORD 4576; January 2012] [ORD 4584; June 2012]
11. **Landscape buffering and screening.**
 - A. A landscape buffer should provide landscape screening, and horizontal separation between different zoning districts and between non-residential land uses and residential land uses. The buffer should not be applicable along property lines where existing natural features such as flood plains, wetlands, riparian zones and identified significant groves already provide a high degree of visual screening. (Standard 60.05.25.13) [ORD 4531; April 2010]
 - B. When potential impacts of a Conditional Use are determined, or when potential conflicts of use exist between adjacent zoning districts, such as industrial uses abutting residential uses, landscape screening should be dense, and the buffer width maximized. When potential conflicts of uses are not as great, such as a commercial use abutting an industrial use, less dense landscape screening and narrower buffer width is appropriate. (Standard 60.05.25.13) [ORD 4531; April 2010]
 - C. Landscape buffering should consist of a variety of trees, shrubs and ground covers designed to screen potential conflict areas and complement the overall visual character of the development and adjacent neighborhood. (Standard 60.05.25.13)
 - D. When changes to buffer widths and buffer standards are proposed, the applicant should describe the physical site constraints or unique building or site characteristics that merit width reduction. (Standard 60.05.25.13.E). [ORD 4531; April 2010] [ORD 4576; January 2012]

[ORD 4576; January 2012] [ORD 4584; June 2012]

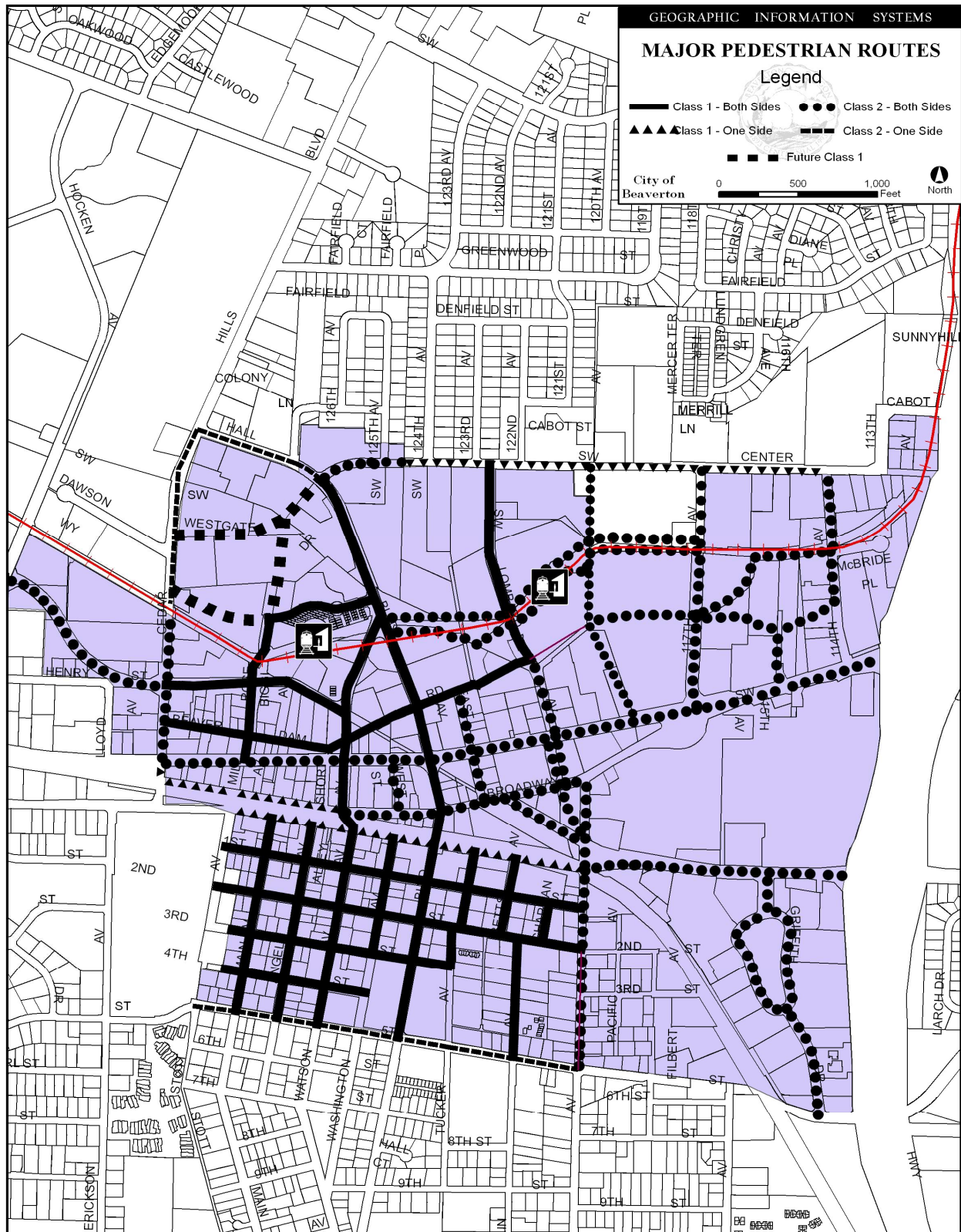
60.05.50. Lighting Design Guidelines. Unless otherwise noted, all guidelines apply in all zoning districts.

1. Lighting should be utilized to maximize safety within a development through strategic placement of pole-mounted, non-pole mounted and bollard luminaires. (Standards 60.05.30.1 and 2)
2. Pedestrian scale lighting should be an integral part of the design concept except for industrial projects. Poles and fixtures for pole-mounted lighting should be of a consistent type throughout the project. The design of wall-mounted lighting should be appropriate to the architectural design features of the building. (Standard 60.05.30.2)
3. Lighting should minimize direct and indirect glare impacts to abutting and adjacent properties and streets by incorporating lens shields, shades or other measures to screen the view of light sources from residences and streets. (Standards 60.05.30.1 and 2)
4. On-Site lighting should comply with the City's Technical Lighting Standards. (Standards 60.05.30.1 and 2). Where the proposal does not comply with Technical Lighting standards, the applicant should describe the unique circumstance attributed to the use or site where compliance with the standard is either infeasible or unnecessary. [ORD 4531; April 2010]

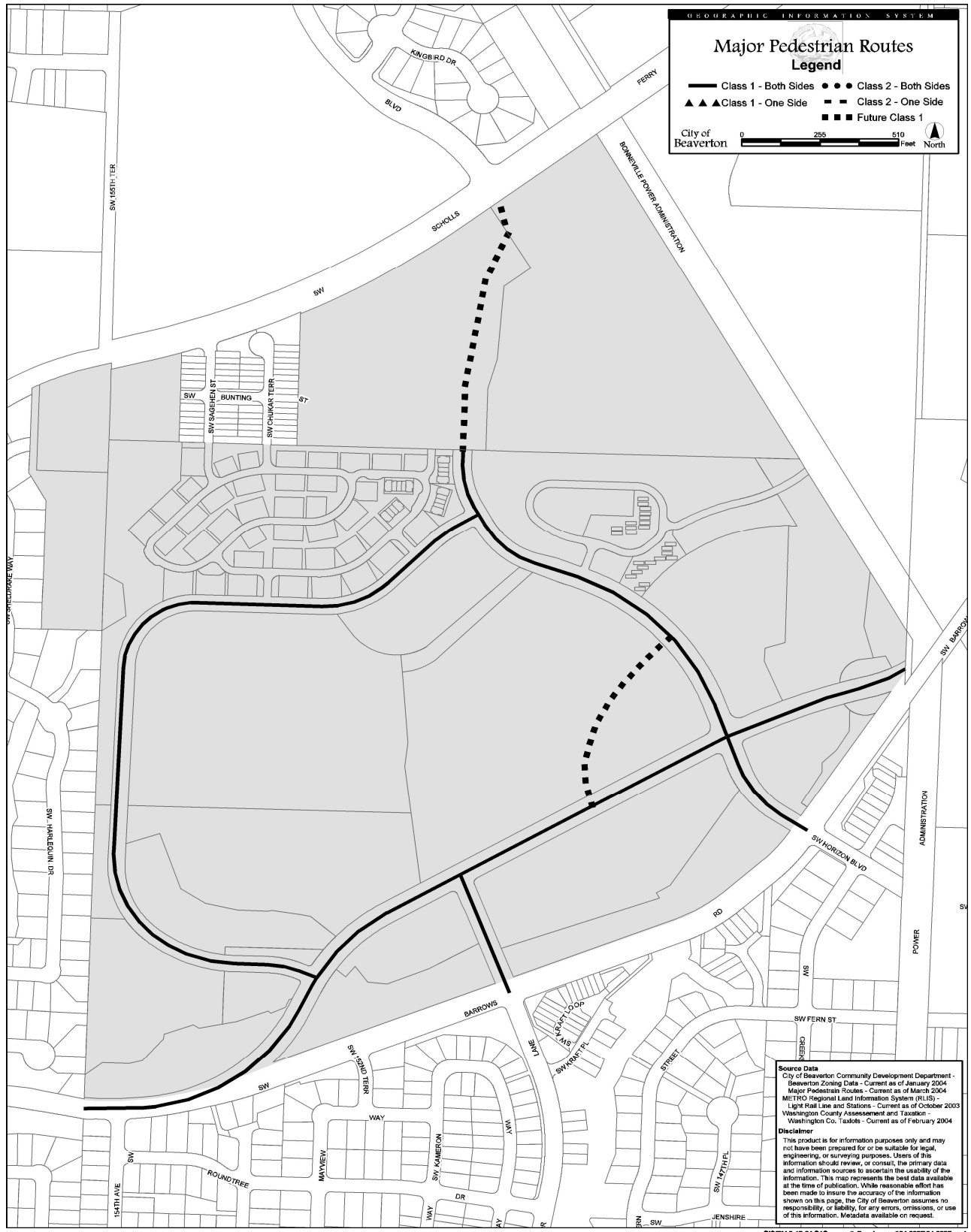
SPECIAL REQUIREMENTS
Major Pedestrian Route Maps

60.05.55. Major Pedestrian Route Maps.

60.05.55.1. Regional Center



60.05.55.2. Town Center



SPECIAL REQUIREMENTS

Major Pedestrian Route Maps

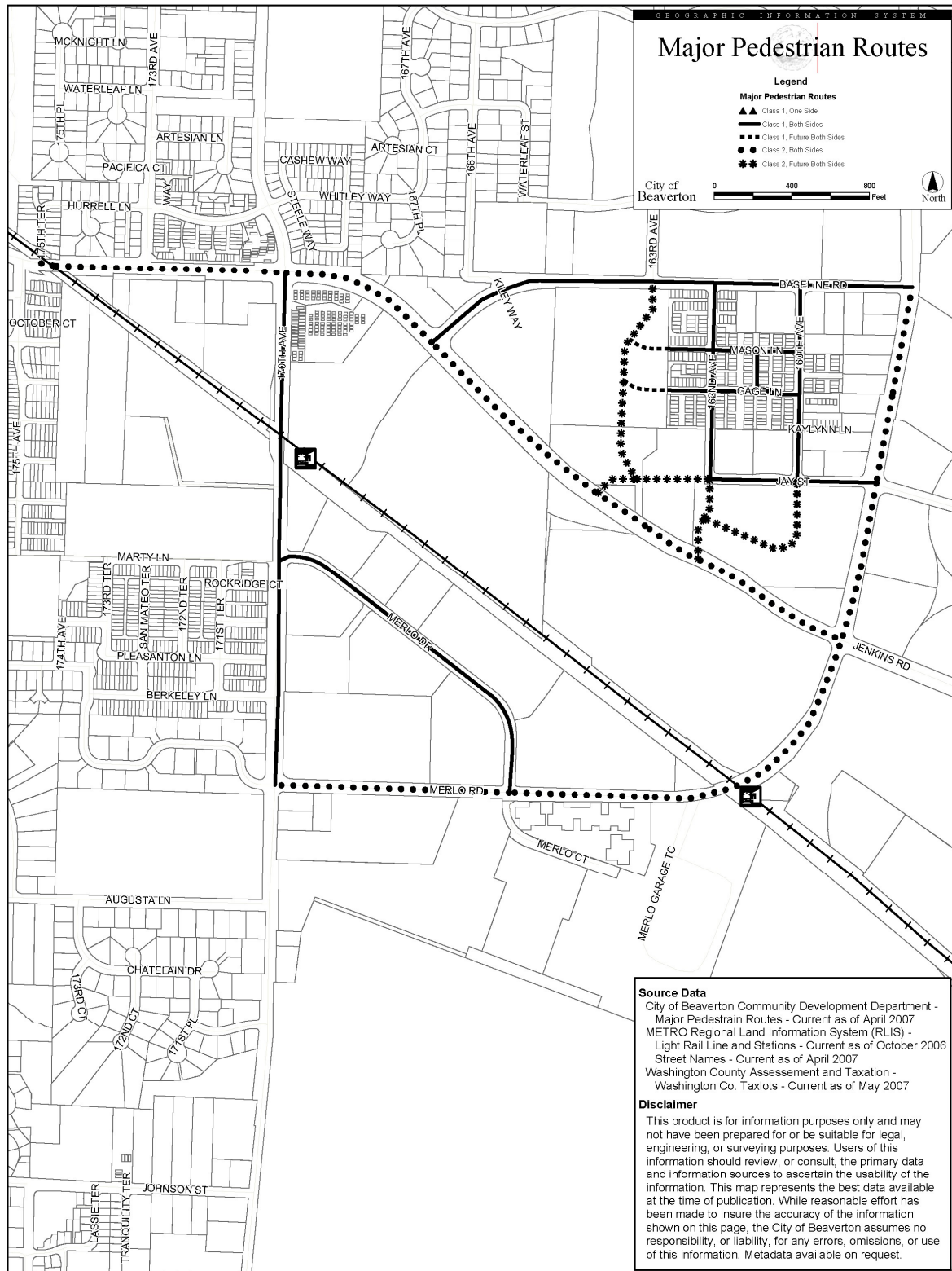
60.05.55.3. South Tek Station Community



SPECIAL REQUIREMENTS

Major Pedestrian Route Maps

60.05.55.4. Elmonica / Merlo Station Community



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60.05.55.5. Sunset Transit Center and Teufel Town Center

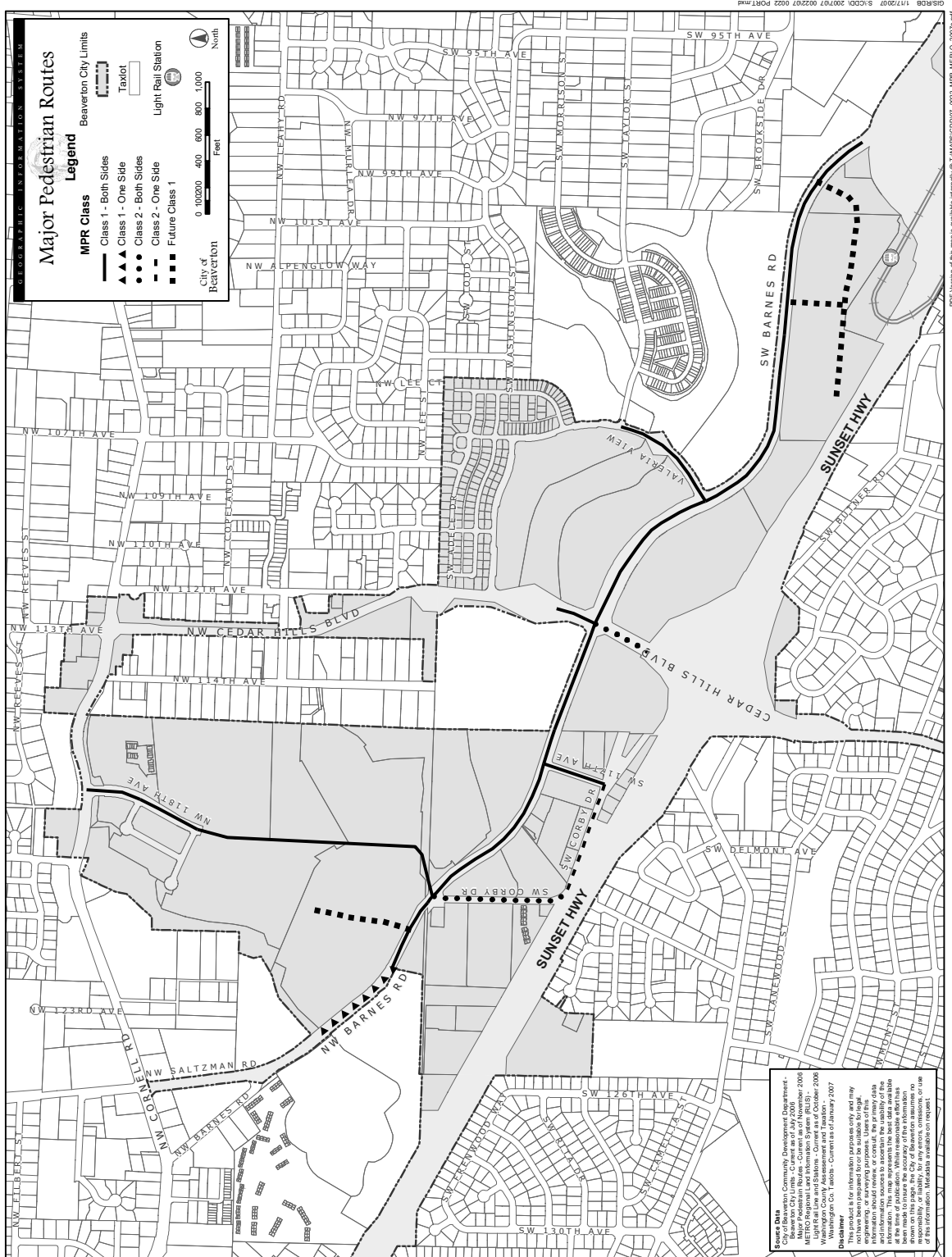


Table 60.05-1. TECHNICAL LIGHTING STANDARDS

- A. Types of Lighting.** The Technical Lighting Standards shall apply to bollard luminaire, pole-mounted luminaire, and non-pole-mounted luminaire.
- B. Areas to Be Applied.** The roadways, access drives, parking lots, vehicle maneuvering areas, pathways and sidewalks of all new developments and building entrances shall be lighted in conformance to the technical lighting standards. These standards are not intended to apply to public street lighting.
- C. Conformity of Lighting Plans to this Section.** All lighting plans submitted to the City shall comply with the standards of this table.
- D. Standards.** The following standards are required of all exterior lighting:

 - 1. When a bollard luminaire, or pole-mounted luminaire, or non-pole-mounted luminaire has total cutoff of an angle greater than ninety (90) degrees, the minimum required interior illumination, the maximum permitted illumination at the property line, and the maximum permitted height of Luminaires shall be as shown on Table 60.05-1.
 - 2. When a bollard luminaire, or pole-mounted luminaire, or non-pole-mounted luminaire has total cutoff of light at an angle less than ninety (90) degrees and is located so that the bare light bulb, lamp, or light source is completely shielded from the direct view of an observer five (5) feet above the ground at the point where the cutoff angle intersects the ground, then the minimum permitted interior illumination, the maximum permitted illumination within five (5) feet of any property line, and the maximum permitted height of Luminaires is also shown on Table 60.05-1.
- E. General Provisions.** Notwithstanding any other provision of this Section to the contrary:

 - 1. Design Standards for Residential, Commercial, Industrial and Multiple use Districts:**

 - a. No flickering or flashing lights shall be permitted.

Table 60.05-1. TECHNICAL LIGHTING STANDARDS (continued)

- b. No bare bulb lights shall be permitted for single-family attached development and multi-family attached development.
- c. No strobe lights shall be permitted.
- d. Light sources or Luminaires shall not be located within areas identified for screening or buffering except on pedestrian walkways.

- 2. **Special Design Standard for Residential Districts.** No exterior neon lights shall be permitted.
- 3. **Special Design Standard for Commercial and Multiple use Districts.** Exterior neon lights shall only be permitted when incorporated into the architectural design of a building.

F. Exemption for Specified Public Outdoor Recreation Uses:

- 1. Because of their unique requirements for nighttime visibility, public ball diamonds, public playing fields, and public tennis courts only, inclusive of facilities located on school district properties, are exempted from the exterior lighting standards of Sections D.1 through D.2 above. These outdoor recreational uses must meet all other requirements for this Section and of the Code.
- 2. The outdoor recreational uses specified above shall not exceed a maximum permitted post height of eighty (80) feet.
- 3. The outdoor recreational uses specified above may exceed a total cutoff angle of ninety (90) degrees, provided that the luminaire is shielded to prevent light and glare spillover to adjacent properties. The maximum permitted illumination at the property line or, if required, the interior buffering line, shall not exceed two (2) foot-candles.

Table 60.05-1. (continued)

| Zoning District Type | Minimum Required Illumination (internal) in Foot-candles | Maximum Permitted Illumination (internal) in Foot-candles | Maximum Permitted Height of Luminaires |
|---------------------------|--|---|---|
| Residential | 1.0 0.7 >90 <90 | None None >90 | 0.5 Pole-mounted luminaires (inclusive of above grade base and light fixture): ♦ 15 feet for on-site pedestrian ways. ♦ 20 feet for on-site vehicular circulation areas. |
| Commercial and Industrial | 1.5 1.0 | None None | 0.5 Pole-mounted luminaires (inclusive of above grade base and light fixture): ♦ 15 feet for on-site pedestrian ways. ♦ 30 feet for on-site vehicular circulation areas. ♦ 15 feet for the top deck of non-covered parking structures. Wall-mounted luminaires for the lighting of pedestrian or vehicular circulation areas: ♦ 15 feet above building finished grade for on-site pedestrian circulation areas ♦ 30 feet above building finished grade for on-site vehicular circulations areas. |

Table 60.05-1. (continued)

| Zoning District Type | Minimum Required Illumination (internal) in Foot-candles | Maximum Permitted Illumination (internal) in Foot-candles | Maximum Permitted Illumination at property line in Foot-candles | Maximum Permitted Height of Luminaires |
|--|--|---|---|---|
| | >90 | <90 | >90 | <90 |
| Multiple Use: | | None | None | 0.5 (all) |
| Residential only | 0.7 | | | <p>Pole -mounted Luminaires (inclusive of above grade base and light fixture):</p> <ul style="list-style-type: none"> ◆ 15 feet for on-site pedestrian ways for all development types. ◆ 20 feet for on-site vehicular circulation areas for residential only and multiple use with residential. ◆ 30 feet for on-site vehicular circulation areas for multiple use non-residential development and non-multiple use/non-residential development. ◆ 15 feet for the top deck of non-covered parking structures for all development types. <p>Wall-mounted Luminaires for the lighting of pedestrian or vehicular circulation areas:</p> <ul style="list-style-type: none"> ◆ 20 feet above building finished grade for residential only and multiple use with residential development. ◆ 15 feet above building finished grade for multiple use non-residential development and non-multiple use / non-residential development. |
| Multiple Use with residential | 0.7 | | | |
| Multiple Use with non-residential development | 1.5 | 1.0 | | |
| Non-multiple use / non residential development | 1.5 | 1.0 | | |

Table 60.05-2.

Minimum Landscape Buffer Requirements Between Contrasting Districts

| District of Development | Location | Minimum Landscape Buffer Requirements Between Contrasting Districts | | | | | | | SPECIAL REQUIREMENTS | |
|---------------------------------|---------------|---|---------------------------------|-------------------------------|-------------------------|-----------------------------|-----------------------------------|---|-----------------------------|---|
| | | Urban Low Density (R10) | Urban Standard Density (R7, R5) | Urban Medium Density (R4, R2) | Urban High Density (R1) | Commercial (CS, GC, NS, CC) | Employment / Industrial (OI, IND) | Station Community (SC-MU, SC-HDR, SC-E, SC-S) | Town Center (TC-MU, TC-HDR) | Regional Center (RC-OT, RC-TO, RC-E, OI-WS, C-WS) |
| Urban Low Density (R10) | Abutting | CU | 5' /B1 CU | 10' /B2 CU | 20' /B3 CU | 20' /B3 CU | 20' /B3 CU | 20' /B3 CU | 20' /B3 CU | 20' /B3 CU |
| | Across Street | N/A | 5' /B1 CU | 5' /B1 CU | 10' /B1 CU | 10' /B1 CU | 10' /B1 CU | 5' /B2 CU | 5' /B2 CU | 5' /B2 CU |
| Urban Standard Density (R7, R5) | Abutting | 5' /B1 CU | N/A | 10' /B2 CU | 20' /B3 CU | 20' /B3 CU | 20' /B3 CU | 20' /B3 CU | 20' /B3 CU | 20' /B3 CU |
| | Across Street | 5' /B1 CU | N/A | 5' /B1 CU | 10' /B1 CU | 10' /B1 CU | 10' /B1 CU | 5' /B2 CU | 5' /B2 CU | 5' /B2 CU |
| Urban Medium Density (R4, R2) | Abutting | 10' /B2 CU/R4 | 10' /B2 CU/R4 | N/A | 10' /B2 CU/R4 | 20' /B3 | 20' /B3 | 10' /B2 | 10' /B2 | 10' /B2 |
| | Across Street | 5' /B1 | 5' /B1 | N/A | 5' /B1 | 10' /B1 | 10' /B1 | 5' /B2 | 5' /B2 | 5' /B2 |
| Urban High Density (R1) | Abutting | 20' /B3 | 20' /B3 | 10' /B2 | N/A | 20' /B3 | 20' /B3 | 10' /B1 | 10' /B1 | 10' /B1 |
| | Across Street | 10' /B1 | 10' /B1 | 5' /B1 | N/A | 10' /B1 | 10' /B1 | 5' /B1 | 5' /B1 | 5' /B1 |
| Commercial (CS, GC, NS, CC) | Abutting | 20' /B3 | 20' /B3 | 10' /B3 | 10' /B3 | N/A | 10' /B3 | 5' /B2 | 5' /B2 | 5' /B2 |
| | Across Street | 10' /B1 | 10' /B1 | 5' /B1 | 5' /B1 | N/A | 5' /B1 | 5' /B1 | 5' /B1 | 5' /B1 |

Table 60.05-2. (continued)

Minimum Landscape Buffer Requirements Between Contrasting Districts

| District of Development | Location | Urban Low Density (R10) | Urban Standard Density (R7, R5) | Urban Medium Density (R4, R2) | Urban High Density (R1) | Commercial (CS, GC, NS, CC) | Employment / Industrial (OI, IND) | Station Community (SC-MU, SC-HDR, SC-E, SC-S) | Town Center (TC-MU, TC-HDR) | Regional Center (RC-OT, RC-TO, RC-E, OI-WS, C-WS) |
|---|---------------|-------------------------|---------------------------------|-------------------------------|-------------------------|-----------------------------|-----------------------------------|---|-----------------------------|---|
| Employment / Industrial (OI, IND) | Abutting | 20' / B3 | 20' / B3 | 20' / B3 | 20' / B3 | 10' / B3 | N/A | 20' / B3 | 20' / B3 | 20' / B3 |
| | Across Street | 10' / B2 | 10' / B2 | 10' / B2 | 10' / B2 | 5' / B2 | N/A | 10' / B2 | 10' / B2 | 10' / B2 |
| Station Community (SC-MU, SC-HDR, SC-E, SC-S) | Abutting | 20' / B3 | 20' / B3 | 10' / B3 | 10' / B3 | 10' / B3 | 20' / B3 | N/A | 10' / B2 | 10' / B2 |
| | Across Street | 10' / B2 | 10' / B2 | 5' / B2 | 5' / B2 | 5' / B2 | 10' / B2 | N/A | 5' / B1 | 5' / B1 |
| Town Center (TC-MU, TC-HDR, | Abutting | 20' / B3 | 20' / B3 | 10' / B3 | 10' / B3 | 10' / B3 | 20' / B3 | 10' / B2 | N/A | 10' / B2 |
| | Across Street | 10' / B2 | 10' / B2 | 5' / B2 | 5' / B2 | 5' / B2 | 10' / B2 | 5' / B1 | N/A | 5' / B1 |
| Regional Center (RC-OT, RC-TO, RC-E, OI-WS, C-WS) | Abutting | 20' / B3 | 20' / B3 | 10' / B3 | 10' / B3 | 10' / B3 | 20' / B3 | 10' / B2 | 10' / B2 | N/A |
| | Across Street | 10' / B2 | 10' / B2 | 5' / B2 | 5' / B2 | 5' / B2 | 10' / B2 | 5' / B1 | 5' / B1 | N/A |

SPECIAL REQUIREMENTS
Landscape Buffer Requirements

[ORD 4584; June 2012]

NOTES FOR TABLE 60.05-2.:

1. 5' / 10' / 20' = Buffer Width
2. B1 / B2 / B3 = Buffer Standard
3. N/A = Not Applicable
4. CU = Conditional Use
5. Except for non-residential uses and parks in Residential districts, buffering requirements are not in addition to building setback requirements as described in Chapter 20 of the Development Code. Where a setback width is less than a landscape buffer width described in Table 60.05-2., the minimum setback width of the zone shall apply to the specified buffer designation (B1, B2, or B3 as appropriate). A landscape buffer width cannot exceed a minimum yard setback dimension. [ORD 4531; April 2010]
6. Buffering requirements for Urban Low and Urban Standard and the R4 zoning district in Urban Medium shall only be applied when a Conditional Use (CU) is proposed.
7. A minimum 20 foot buffer developed to a B3 standard is required for non-residential land uses and parks abutting a residential use in a residential zoning district. This standard shall apply only to side and rear property lines that abut residentially zoned properties. The Director is authorized to approve exceptions as described under Section 60.05.25.13.A, *Applicability of Buffer Standards*, otherwise all proposals to modify the 20-foot buffer width or B-3 standard are subject to public hearing consideration in review of applicable guidelines (Section 60.05.45.11.). [ORD 4531; April 2010] [ORD 4782; April 2020]
8. Where a site proposed for development abuts property located outside City limits, the buffering requirement for the equivalent zone shall be applied to the property as described in Table 1, Section 1.5.2. of the Comprehensive Plan adopted pursuant to the Washington County – Beaverton Urban Planning Area Agreement (UPAA) or similar a zone as determined by the Director. [ORD 4531; April 2010] [ORD 4759; March 2019] [ORD 4782; April 2020]

60.07. DRIVE-UP WINDOW FACILITIES. [ORD 4224; August 2002]

60.07.05. Purpose. Drive-up window facilities shall be designed to provide safe, convenient and efficient traffic flow.

60.07.10. Standards. The decision making authority shall review proposed drive-up window facilities to determine that the following standards are addressed in the design:

1. Drive-through uses shall be located so that access and egress to the drive-through features are from an on-site drive aisle or other on-site circulation facility, not a public street. [ORD 4332; January 2005]
2. Restaurants providing drive-up window service shall have sufficient parking and seating to accommodate anticipated customer volume.
3. Restaurants providing drive-up window service shall provide at least two (2) designated parking spaces immediately beyond the service window, or provide other satisfactory methods, to allow customers requiring excessive waiting time to receive their food while parked.
4. Financial and other commercial establishments providing drive-up window facilities which do not provide for walk-in customer service (i.e., not allowing transactions within the structure) shall provide for safe, convenient and readily accessible exterior walk-up window service, such as an automatic teller machine, at any time during regular business hours. Additionally, at a minimum, two parking spaces shall be provided allowing convenient access to the walk-up service window.
5. The design of the stacking area shall allow customers' vehicles to leave the stacking line for emergency reasons.
6. On-Site parking for walk-in customers shall be designed to be readily accessible to all public entrances to the building and to provide safe, convenient access.
7. Establishments having drive-up window facilities shall have sufficient stacking area to ensure that public rights-of-way and shared access driveways are not obstructed. [ORD 4584; June 2012]
8. Communication's sound system shall not exceed a measurement of 55 decibels at the adjoining property line.

- 60.07.15. Abatement.** Drive-up window facilities shall be a public nuisance to be abated pursuant to 5.05.115A of the Municipal Code, or its successors, if the traffic at the facility causes obstruction or interference with the right-of-way or flow of pedestrian or vehicular traffic as described in Section 5.05.115A of the Municipal Code. Abatement methods may include summary abatement, closure or redesign of the drive-up window facility. The Beaverton Police shall have the authority to issue citations to drivers of motor vehicles obstructing the public right-of-way or interfering with traffic flow. [ORD 3218; August 1981]

60.10. FLOODPLAIN REGULATIONS

60.10.05. Purpose. Regulations governing development within floodplains are intended to recognize the need to protect the health, safety and welfare of the community, and maintain the functions and values of floodplains through control of development within the floodplain area so as to minimize public and private losses due to flooding. The preservation of natural features and topography as an aid in floodplain management is a primary purpose of these regulations. However, in the administration of these regulations the existing pattern of man-made improvements must in some areas be recognized as a constraint on achieving this purpose. The provisions of this Section are designed to: [ORD 4155; May 2001]

1. Protect human life, health, and property; [ORD 4155; May 2001]
2. Minimize expenditure of public money, costly repairs of flood damage, and costly flood control projects; [ORD 4155; May 2001]
3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. Minimize prolonged business interruptions;
5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
6. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
7. Make information is available upon request to potential buyers that property is in an area of special flood hazard; [ORD 4155; May 2001]
8. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions. [ORD 3563; May 1987]
9. Maintain the functions and values of floodplains, such as allowing for the storage and conveyance of stream flows through existing and natural flood conveyance systems. [ORD 4155; May 2001]

60.10.10. Floodplain Designation.

1. Consistent with Clean Water Services Design and Construction Standards, the floodplain is the flood management area and shall include those areas identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for Washington County, Oregon and Incorporated Areas," with amendments, dated October 19, 2018, with accompanying Flood Insurance Rate Maps (FIRM), is hereby adopted by reference and declared to be a part of this ordinance. The City of Beaverton shall notify the U.S. Department of Homeland Security's Federal Emergency Management Agency as soon as possible, but no later than six months after the date such information becomes available, of any changes to the base flood elevation, by submitting technical or scientific data. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and flood plain management requirements will be based upon current data. The Flood Insurance Study and revisions are on file with the City Engineer and the City Recorder. [ORD 3563; May 1987] [ORD 4130; December 2000]. When base flood elevation data has not been provided in accordance with this section, the City Engineer shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source in order to administer City of Beaverton Code Section 9.05.060, subsections A and D, relating to site development. For all development applications, the best available information as determined by the City Engineer shall be used in the determination of the floodplain limits. [ORD 3563; May 1987] [ORD 4337; January 2005] [ORD 4388; May 2006] [ORD 4692; November 2016] [ORD 4744; October 2018]
2. When interpretation is requested by a property owner, or designee concerning the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), or if a development application is received for a site where a floodplain is unclear or lacks an established elevation, the City Engineer shall require the concerned person or applicant to provide a detailed hydraulic data report prepared in accordance with standard engineering practice by a registered engineer with background in the area of hydrology and hydraulics. This report shall include, but is not limited to, water profiles and discharge rates for the channel and the hydrology for the tributary areas. The report must document the base flood elevation and specific limits of inundation within a floodplain designated on a FIRM map in Zone A or in Zone AO or along a stream corridor beyond the FIRM studied limits.

60.10.10.2.

After review of the available data and the report, the base flood elevation shall be established by the City Engineer. [ORD 4744; October 2018]

All applicable floodplain regulations for preservation flood conveyance and flood storage of sites and building elevation requirements shall be determined from the base flood elevation as established by the City Engineer. A person dissatisfied with the City Engineer's decision may appeal that decision in the same manner as provided in Beaverton Code Section 9.05.091. [ORD 3563; May 1987] [ORD 4155; May 2001] [ORD 4392; July 2006]

3. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Large floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder. [ORD 3563; May 1987] [ORD 4744; October 2018]
4. Uncontained areas of hazardous materials, as defined by the Department of Environmental Quality, are prohibited in the floodplain. Any storage or placement of materials in the floodplain that would obstruct the flow of water or reduce the available flood holding capacity of a site is prohibited. [ORD 3441; May 1985] [ORD 4093; April 2000] [ORD 4155; May 2001]

60.10.15. Development in Floodway.

1. Development in the floodway is prohibited, with the following exceptions, pursuant to the site development ordinance, which requires hydrological and hydraulic analyses demonstrating the proposed encroachment would not increase flood levels during the base flood discharge; [ORD 4744; October 2018]
 - A. Stormwater outfall pipes and other drainage; improvements;
 - B. Bridges;
 - C. Culverts;
 - D. Public utility lines;

60.10.15.1

- E. Trails or bike paths;
- F. Roads and other uses identified on the City's Transportation Plan; and
- G. Stream habitat restoration, including vegetated corridor enhancement. [ORD 4744; October 2018]
- H. Grading associated with A through G above. [ORD 4744; October 2018]

60.10.20. Commercial and Industrial Uses in the Floodway Fringe. All commercial and industrial uses, if allowed in the primary zone are allowed in the floodway fringe if the proposed development:

- 1. Meets the requirements of Beaverton Code Section 9.05;
- 2. Meets the requirements of the City Engineering Design Manual and Standard Drawings;
- 3. Meets the requirements of the Clean Water Services District Design and Construction Standards Manual based on affirmative statements in documentation from CWS; and [ORD 4224; August 2002] [ORD 4392; July 2006]
- 4. Has been reviewed and approved by the appropriate City approval authority as meeting the requirements and standards of this ordinance.

[ORD 3441; May 1985] [ORD 4093; April 2000] [ORD 4155; May 2001]

60.10.25. Residential Uses in the Floodway Fringe.

- 1. Unless property is developed as a planned unit development, single family and two family dwellings, even though allowed in the primary zone, are prohibited in the floodway fringe on any lot smaller in area than five acres.
- 2. All other residential uses, if allowed in the primary zone, are allowed only as Conditional Uses in the floodway fringe. The request for a Conditional Use shall be processed and reviewed in the manner set forth in this ordinance. In addition to all other findings of fact required to be made in order to grant the Conditional Use, the following findings shall also be made: [ORD 4155; May 2001]

60.10.25.

- A. The proposed development meets all the site and building design standards and requirements of the Beaverton Code Section 9.05 and the technical standards of this ordinance; and [ORD 4155; May 2001] [ORD 4392; July 2006]
 - B. The proposed development meets the building design standards and requirements of the Clean Water Services Design and Construction Standards based on affirmative statements in documentation from CWS. [ORD 4155; May 2001] [ORD 4224; August 2002]
3. The provisions of subsection 2., above, shall not operate to impose the status of nonconforming use on any single family or two-family dwelling or use lawfully existing on the effective date of this ordinance.
4. Single family and two-family dwellings and uses located in the floodway fringe and on lots smaller in area than five acres shall be allowed to continue, subject to the provisions of the primary zone, as conforming uses.
5. A structure or use regulated by this section that does not comply with any regulation provided by this ordinance for the primary zone in which it is located shall be considered nonconforming in those particulars only and shall be treated in a manner consistent with the provisions of Chapter 30, the nonconforming use provisions.
6. All manufactured dwellings otherwise allowed to be placed or substantially improved within the floodplain shall be elevated on a permanent foundation such that the bottom of the longitudinal chassis frame beam of the manufactured home is at or above the base flood elevation, and shall be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. All electrical crossover connections shall be elevated a minimum of two feet above the base flood elevation. [ORD 3563; May 1987] [ORD 4155; May 2001] [ORD 4392; July 2006] [ORD 4744; October 2018]
7. In the floodplain, the long-term storage, permanent placement, or installation of recreational vehicles on the land is prohibited.

60.10.30. Development of Critical Facilities within the Floodway Fringe.

1. Construction of critical facilities shall be, to the extent possible, located outside the limits of the floodplain. Construction of new critical facilities within the floodway fringe shall be permissible if no feasible alternative site is available. Critical facilities that are constructed or substantially improved within the floodway fringe shall have the lowest floor elevated three feet above the base flood elevation or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility shall be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to new critical facilities and to existing critical facilities to the extent possible. [ORD 4692; November 2016] [ORD 4744; October 2018]

60.11. FOOD CART POD REGULATIONS.

60.11.05. Purpose. The purpose of these regulations is to establish criteria for the placement of food cart pods in the City of Beaverton. Food carts provide the community a wider choice of eating and drinking options. Food cart pods shall comply with all applicable City, County and State standards.

60.11.10. Site Design.

1. Site Design Standards for Food Cart Pods:
 - A. Food carts and amenities shall be located on a paved or concrete surface.
 - B. Food cart pods shall not occupy pedestrian walkways or required landscaping.
 - C. Food cart pods shall not occupy or obstruct bicycle or vehicle parking required for an existing use.
 - D. Carts and/or objects associated with the food cart use shall not occupy fire lanes or other emergency vehicle access areas.
 - E. Front yard setbacks for food carts shall be a minimum of 6 feet.
 - F. Rear and side yard setbacks for food carts and amenities shall be the same as the zone in which it is located, except when a side or rear yard abuts a residential zoning district. Any side or rear yard abutting a residential zoning district must meet the setbacks 60.11.10.1.G below.
 - G. Rear and/or side yards abutting residentially zoned property shall have a minimum setback of 20 feet or the minimum setback for the zone in which it is located, whichever is greater. This setback may be reduced to 10 feet by meeting the buffering requirements for a B-3 buffer in section 60.05.25.13.D of the Development Code but may not be less than the minimum allowed in the zoning district of the food cart pod.
 - H. Carts shall not be located or oriented in a way that requires customers to queue in a driveway.

60.11.10.1

- I. Uses shall not create tripping hazards in pedestrian and vehicular circulation areas with items including, but not limited to, cords, hoses, pipes, cables, or similar materials.
- J. Where more than one cart is located on a site, carts shall be separated by a minimum of 6 feet.
- K. Food carts shall not be located in the Vision Clearance Area as described in the *Engineering Design Manual*.
- L. Fences shall be constructed consistent with Section 60.05.25.9.

2. Standards for amenities within a food cart pod:

- A. All food cart pods which provide seating for customers shall have restrooms with hand washing facilities available. Restrooms must have handwashing facilities with hot and cold running water, soap and paper towels or air dryers. Restrooms must either be on site or on an adjacent parcel. Restrooms shall be screened from view of the public right of way and abutting residentially zoned properties.
- B. Required restrooms shall be available during Food Cart Pod operating hours.
- C. All food carts and customer amenities within a food cart pod shall be served by a minimum 5-foot-wide hard surface walkway.
- D. Waste and recycling receptacles shall be provided for customer and business waste. Receptacles shall be screened from view of the right of way and abutting residentially zoned properties and serviceable by the applicable waste-hauler.
- E. Storage structures accessory to food carts shall be less than 120 square feet in size and no greater than 15 feet in height. Storage structures shall be set back a minimum of 20 feet from public rights-of-way.
- F. Structures used to provide shelter to customers may be membrane structures such as tents or canopies or permanent structures.

60.11.10.2

- a. Structures providing shelter and/or cover to patrons shall not exceed the following standards without Adjustment or Variance approval:
 - i. Cover 200 square feet or less in area.
 - ii. Have a maximum of 50 percent of the structure enclosed with walls or sides. Membrane structures may be fully enclosed.
 - iii. Are 15 feet in height or less, as measured to the highest point.

60.11.15. Individual Food Cart Design Standards.

- 1. All Food carts shall be subject to the design standards listed below:
 - A. Food carts shall enclose or screen from view of the right of way and abutting residentially zoned property all accessory items not used by customers, including but not limited to, tanks, barrels, or other accessory items.
 - B. The wheels and tongues must remain on the food cart. Wheels must remain inflated.
 - C. Carts shall not have missing siding or roofing.
 - D. Food carts shall be kept in good repair and maintained in a safe and clean condition.
 - E. Food carts shall not be longer than 26 feet, as measured from wall to wall.
 - F. Food carts shall obtain and keep current a City Business License.
 - G. Food carts shall maintain all required licenses by the appropriate State and/or local agency, including Washington County Health.
 - H. If provided, cart awnings shall have seven (7) feet of clearance between the ground and awning for safe pedestrian circulation.
 - I. Food Carts shall not exceed 15 feet in height without Adjustment or Variance approval.

60.11.20. Utilities.

1. Wastewater shall be addressed in one of the following two ways:
 - A. Food carts shall connect to the sanitary sewer consistent with applicable state plumbing codes and will include an approved grease separator for the disposal of fats, oils and grease. Indirect discharge or leakage draining into the storm water system is prohibited.
 - B. Food carts shall connect to individual or community wastewater holding tanks. Tanks shall be owned and serviced by an Oregon Department of Environmental Quality licensed pumper. A copy of the contract shall be provided to the City before any food carts are located on site. Holding tanks shall be screened from view of the right-of-way by fully sight obscuring fencing. Indirect discharge or leakage draining into the storm water system is prohibited.
2. Potable water shall be addressed in one of the following two ways:
 - A. Food carts shall connect to a permanent water source in conformance with applicable state plumbing codes.
 - B. Food carts shall be connected to a potable water tank consistent with Section 5-3 of the Oregon Health Authority's 2012 Food Sanitation Rules.
3. Food carts and amenities shall connect to a permanent power source. Power connections may not be connected by overhead wires to the individual food carts. Generators are prohibited.
4. All utilities shall be placed or otherwise screened, covered, or hidden from view from the right of way as to minimize visual impacts and prevent tripping hazards or other unsafe conditions.

60.11.25. Parking.

1. Food Cart Pods in Commercial and Industrial zoning districts must provide a minimum of one (1) parking space per approved food cart. Food Cart Pods in Multiple Use Zoning districts are exempt from parking requirements.

60.11.30. Signs.

1. Signage on individual food carts shall be limited to signs on the face of the food cart.
2. Freestanding signs for food cart pods are subject to provisions of Chapter 60.40.35.3.

60.11.35. Lighting.

1. Food cart pods shall have lighting to ensure safe environment for customers and employees that complies with the following:
 - A. At minimum, areas to be occupied by customers shall be illuminated when carts operate during hours of darkness.
 - B. No direct light source shall be visible from the property line.
 - C. Lighting fixtures shall be oriented and/or shielded to prevent glare on abutting properties.

60.12. HABITAT FRIENDLY DEVELOPMENT PRACTICES

- 60.12.05. Purpose.** Allow and encourage Habitat Friendly Development Practices (HFDPs) that integrate preservation, enhancement and creation of Habitat Benefit Areas (HBAs) and use of Low Impact Development (LID) techniques in order to support natural systems that provide wildlife with food, shelter, and clean water.

All of the provisions of Section 60.12. are voluntary and are not required of new development or redevelopment. The provisions are applicable only when a property owner elects to utilize the provisions contained in this section.

The provisions of this section are intended to:

1. Promote preservation, enhancement and restoration of Habitat Benefit Areas (HBAs).
2. Reduce impacts from development on fish and wildlife habitat relative to traditional development practices.
3. Design a site in such a way that Habitat Friendly Development Practices (HFDPs) are integrated in the overall plan.
4. Use Best Management Practices (BMPs) to guide decisions regarding site design, development and construction.
5. Reduce Effective Impervious Area (EIA) in the City to the extent practicable and achieve zero (0) percent EIA on as many individual sites as practicable.
6. Avoid damaging existing wildlife habitat through preservation of HBA, minimize impacts to existing wildlife habitat by limiting the amount of habitat disturbance to only those areas required for development of a site, and mitigate impacts to existing wildlife habitat when avoidance and minimization options are limited. Use LID techniques to mitigate impacts in order to improve remaining on-site habitat and/or down-stream habitat.
7. Encourage HFDPs by adopting options that allow for flexibility in site design for new development and redevelopment.
8. Implement provisions of the Beaverton Comprehensive Plan that encourage preservation of HBA and use of LID techniques.

SPECIAL REQUIREMENTS
Habitat Friendly Development Practices

60.12.10. Process. Implementation of a HFDP shall not result in a requirement for a separate Development Code, Chapter 40, application. The level of review for a Chapter 40 application shall not be elevated or lessened based on proposed implementation of a HFDP.

60.12.15. Engineered Techniques. In some instances, proposed implementation of a HFDP will require an Engineering Design Manual Design Standard Exception approved by the City Engineer. The Design Standard Exception process is outlined in Section 160 of the *Engineering Design Manual and Standard Drawings* (EDM). An applicant may choose to receive approval from the City Engineer prior to, or concurrent with, review of a land use application. [ORD 4782; April 2020]

In order for the decision-making body to approve a requested credit for proposed implementation of a technique that requires a review of the technique's technical feasibility, engineered drawings and calculations need to be completed and submitted with the land use application for development review.

60.12.20. Guidance. *The City of Beaverton Habitat Friendly Development Practices Guidance Manual* provides an expanded description of principles and techniques that may be integrated into site design to meet the goals and objectives within Section 60.12.05.

60.12.25. Credits. As used in this Code section, the term credits refer to development credits an applicant may earn through HBA preservation or use of LID techniques which are described in Sections 60.12.35. through 60.12.40., below. The mix of credits requested is left to the applicant's discretion for a single project site, as credits are not transferable between separate project sites.

60.12.30. Standards. The following standards shall be satisfied by new development and redevelopment, throughout the City when a request for use of a credit(s) allowed through Section 60.12.35. or Section 60.12.40. is proposed.

1. The proposal satisfies all applicable standards for the preservation, technique, or credit requested.
2. The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are subject to a credit for implementation of a proposed HFDP.

60.12.30.

3. The proposal is consistent with all applicable provisions of Section 60.12. (Habitat Friendly Development Practices) and all improvements, dedications, or both required by the applicable provisions of Section 60.12. (Habitat Friendly Development Practices) are satisfied or can be provided in proportion to the identified impact(s) of the proposal.
4. Implementation of the proposed Habitat Friendly Development Practice(s) is technically feasible in accordance with Section 60.12.15. (Engineered Techniques).
5. The size of the improvement proposed to implement the Habitat Friendly Development Practice(s) is greater than or equal to the amount required to receive the requested credit(s).
6. The proposed credit is a credit that is allowed for the proposed Habitat Friendly Development Practice(s).
7. Use of credits is limited to the amount of preservation or technique proposed. One (1) unit of preservation or technique results in one credit. Awarding a credit or a combination of credits shall not result in receipt of multiple credits for one (1) unit of preservation or technique.
8. Where a credit(s) toward the landscape standard, parking lot landscape island standard, or open space standard is requested, the proposed project requesting credits toward the landscape standard, parking lot landscape island standard, or open space standard does not cumulatively receive credits greater than 50 percent of the landscape or open space standard for the project site, with the exception of credit for installation of a Rain Garden.
9. Where a credit(s) toward the landscape standard, parking lot landscape island standard, or open space standard is requested for installation of a Rain Garden, the proposed project requesting credits toward the landscape standard, parking lot landscape island standard, or open space standard does not cumulatively receive credits greater than 75 percent of the landscape or open space standard for the project site.

60.12.30.

10. Where a credit(s) to increase the building height above the maximum for the underlying zoning district is requested, the proposed project does not cumulatively receive credits greater than 12 feet additional building height, with the exception of Section 60.12.40.4.B.1. *Building Height Increase, Multiple Use Zoning Districts (Eco-Roof)*.
11. Where a credit(s) to increase the building height above the maximum is requested for a project within a Multiple Use zoning district, the proposed project does not cumulatively receive credits greater than 12 feet, 24 feet, or 36 feet additional building height, respective of Sections 60.12.40.4.B.1.a., 60.12.40.4.B.1.b., and 60.12.40.4.B.1.c.

60.12.35. Habitat Benefit Area (HBA) Preservation. Locations of HBAs are depicted on the *Comprehensive Plan Volume III Habitat Benefit Area Map*. Habitat resource classification and delineation methodologies are included in the *Comprehensive Plan for the City for Beaverton Volume III: Statewide Planning Goal 5 Resource Inventory Documents*.

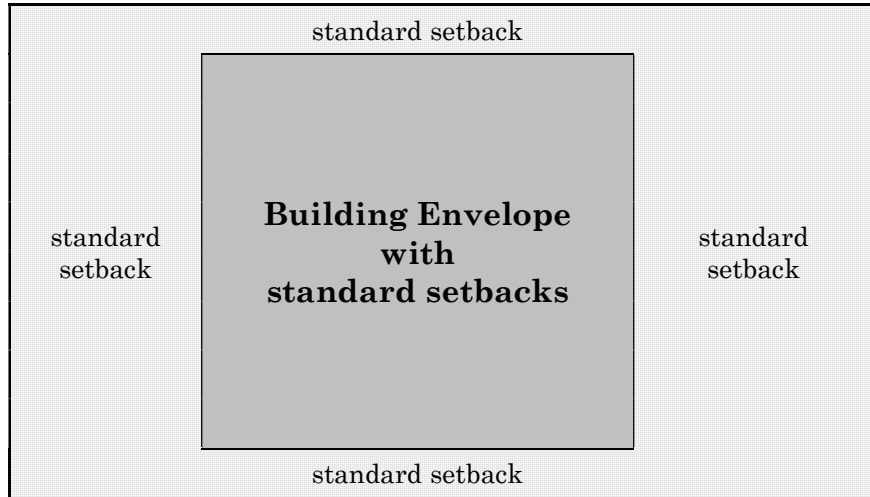
1. Preservation, Enhancement, Mitigation, Creation.

- A. Purpose. HBA Preservation includes preservation, enhancement, mitigation, or creation of HBA based upon habitat delineation.
- B. Credits. Use of the following credits is limited to the amount of HBA preservation proposed. One (1) square foot of HBA preserved results in one credit. Awarding a credit or a combination of credits shall not result in receipt of multiple credits for one (1) square foot of HBA preservation.
 - 1. Building Envelope Offset in Commercial and Industrial zoning districts. An applicant can request a yard setback decrease of one (1) foot for every one (1) lineal foot that a proposed HBA preservation encroaches into a project site from the opposite side; in exchange the opposite yard setback shall be increased one (1) lineal foot.

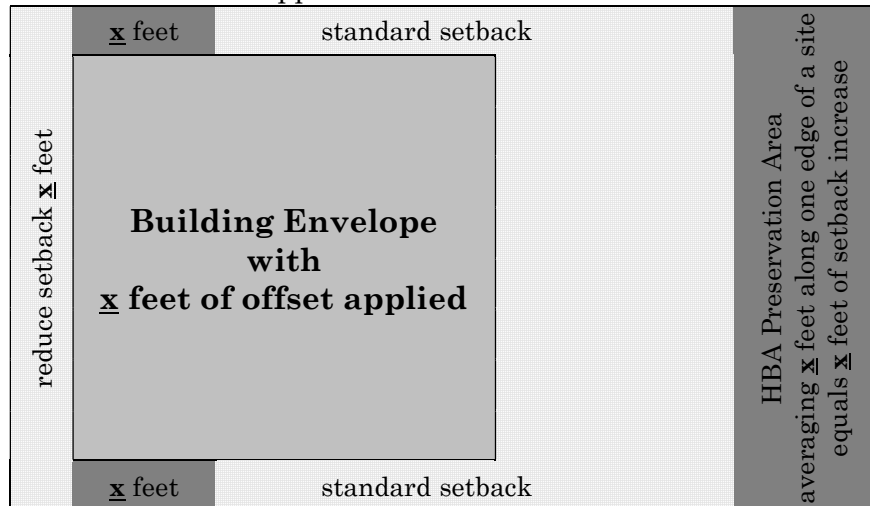
60.12.35.1.B.1.

Building Envelope Offset Example.

Standard Setbacks.



Setback Offset applied.



Standards. Building Envelope Offset credits for HBA preservation shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Section 60.12.35.C.

- a. **Credit Limit.** The proposed Building Footprint Offset does not reduce a yard setback to less than five (5) feet.

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60.12.35.1.B.1.

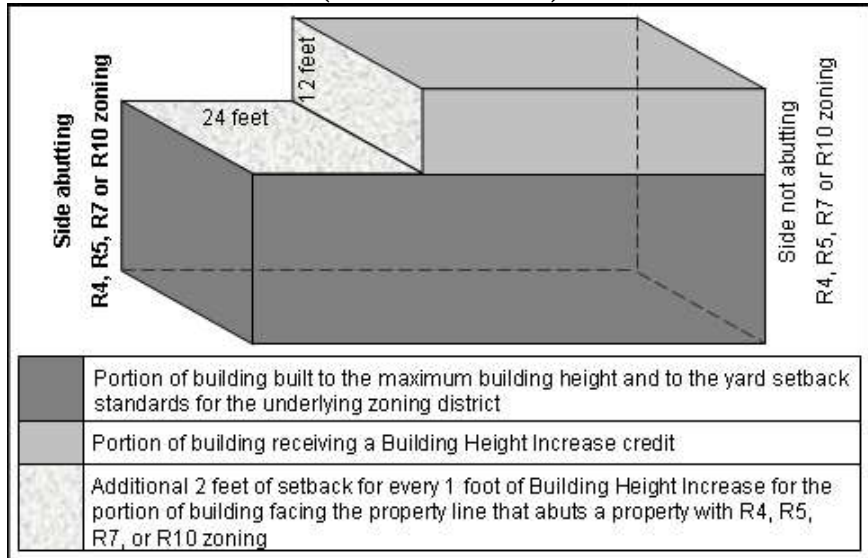
- b. The requested setback reduction is not requested for any property within the R4, R5, R7, or R10-zoning districts unless the site is located within the South Cooper Mountain Community Plan area and subdivision of the site is part of a Conditional Use Planned Unit Development application. [ORD 4652; February 2015]
 - c. A requested setback reduction does not abut any property within the R4, R5, R7, or R10 zoning districts. [ORD 4584; June 2012]
 - d. The proposed reduction will meet applicable fire or life safety requirements.
 - e. The proposed reduction will meet applicable building code requirements.
2. Building Height Increase. A proposal that includes HBA preservation can request an increase in building height up to 12 feet within the building footprint. The square footage of the building footprint receiving the building height increase shall be equal to or less than the square footage of HBA preservation, not to exceed the square footage of the building footprint. This credit is applicable in all zones except R4, R5, R7, and R10.

Standards. Building Height Increase credits for HBA preservation shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Section 60.12.35.C.

- a. Credit Limit. The proposed Building Height Increase does not exceed 12 additional feet for an area equal to the building footprint.
- b. When abutting an R4, R5, R7, or R10 zoning district, or equivalent County zoning district, the portion of the building(s) receiving the height increase shall be designed with an additional setback from the R4, R5, R7, or R10 zoning district, or equivalent County zoning district, of two (2) feet for every one (1) foot of building height increase. [ORD 4584; June 2012]

60.12.35.1.B.2.b.

**Building Height Increase Example with
additional setback. (elevation view)**



- c. The building receiving the height increase shall be located within the project site where the HBA is preserved.
 - d. The building receiving the height increase shall not increase the height within 50 feet of the Downtown Historic District or a Historic Landmark.
3. Floor Area Reduction in Multiple Use Zoning Districts. For every one (1) square foot proposed HBA preservation on a project site, an applicant can request a credit of one (1) square foot toward satisfying the minimum floor area requirement for a project site.

Standards. Floor Area Reduction credits for HBA preservation shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Section 60.12.35.C.

- a. **Credit Limit.** The proposed Floor Area Reduction does not exceed 25 percent of the required floor area for the project site.

60.12.35.1.B.

4. Landscape Island Standard Reduction. For every one (1) square foot proposed HBA preservation, within ten (10) feet of a proposed parking lot area, an applicant can request a credit of one (1) square foot toward the landscape island standard of Section 60.05.20.5.

Standards. Landscape Island Standard Reduction credits for HBA preservation shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Section 60.12.35.C.

- a. Credit Limit. The proposed Landscape Island Standard Reduction does not exceed 50 percent of the landscape island standard for the project based upon the minimum number of parking spaces required for the subject site divided by the applicable standard of Section 60.05.20.5.A.

5. Landscape Standard Reduction. For every one (1) square foot of HBA preservation proposed, an applicant can request a credit of one (1) square foot toward the landscape standard.

Standards. Landscape Standard Reduction credits for HBA preservation shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Section 60.12.35.C.

- a. Credit Limit. The proposed Landscape Standard Reduction does not exceed 50 percent of the landscape standard for the project site.

6. Lot Dimension Reduction. An applicant can request a credit toward reduction of either the standard minimum lot dimension for width or the standard minimum lot dimension for depth, while continuing to meet the minimum lot size and minimum density requirements of the underlying zoning district.

60.12.35.1.B.6.

Standards. Lot Dimension Reduction credits for HBA preservation shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Section 60.12.35.C.

- a. Credit Limit. The proposed Lot Dimension Reduction does not exceed 20 percent of the required width or 20 percent of the required depth of the underlying zoning district's lot dimension requirement.
 - b. HBA preservation is equal to or greater than the minimum lot area square footage for one (1) lot within the underlying zoning district. If an applicant chooses to use both Lot Size Averaging (60.12.35.1.B.7.) and Lot Dimension Reduction for one project site, the applicant may propose one technique or the other for each lot, but may not apply both techniques to any one (1) lot.
 - c. HBA preservation is equal to or greater than the minimum lot area square footage for two (2) lots within the underlying zoning district. If an applicant chooses to use both Lot Size Averaging (60.12.35.1.B.7.) and Lot Dimension Reduction for one project site, the applicant may propose application of both techniques to all proposed lots.
7. Lot Size Averaging. An applicant can request a credit toward averaging the size of proposed lots rather than meeting the minimum lot size requirement for every proposed lot, while continuing to meet minimum density requirements of the underlying zoning district.

Standards. Lot Size Averaging credits for HBA preservation shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Section 60.12.35.C.

60.12.35.1.B.7.

- a. Credit Limit. The proposed Lot Size Averaging does not reduce the square footage of any one lot below 80 percent of the minimum and does not increase the square footage of any one lot above 120 percent of the maximum square footage of the underlying zoning district's lot area standard.
 - b. HBA preservation is equal to or greater than the minimum lot area square footage for one (1) lot within the underlying zoning district. If an applicant chooses to use both Lot Size Averaging and Lot Dimension Reduction (60.12.35.1.B.6.) for one project site, the applicant may propose one technique or the other for each lot, but may not apply both techniques to any one (1) lot.
 - c. HBA preservation is equal to or greater than the minimum lot area square footage for two (2) lots within the underlying zoning district. If an applicant chooses to use both Lot Size Averaging and Lot Dimension Reduction (60.12.35.1.B.6.) for one project site, the applicant may propose application of both techniques to all proposed lots.
8. Open Space Standard Reduction. For every one (1) square foot HBA preservation proposed, an applicant can request a credit of one (1) square foot toward the open space standard.

Standards. Open Space Standard Reduction credits for HBA preservation shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Section 60.12.35.C.

- a. Credit Limit. The proposed Open Space Standard Reduction does not exceed 50 percent of the open space standard of Section 60.05.25.1., Section 60.05.25.2., Section 60.05.25.4. and Section 60.35.15. for the project site.

60.12.35.1.B.8.

- C. Standards. Proposals that request credits for HBA preservation shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Sections 60.12.35.B.1. through 60.12.35.B.8.
1. The area of HBA Preservation, Enhancement, Mitigation or Creation shall be placed within a conservation easement or a separate tract as described in Section 60.12.50. As a condition of approval, a covenant with the City shall be established as described in Section 60.12.50.
 2. The area of HBA Preservation, Enhancement, Mitigation or Creation shall not overlap with an area that is currently regulated by the City or another jurisdictional agency.
 3. When intersecting with Protected Trees (Significant Individual Trees, Historic Trees, trees within Significant Groves and Significant Natural Resource Areas (SNRAs)) and Community Trees the area of HBA Preservation, Enhancement, Mitigation or Creation shall be the area of the site protected, through either a tract or conservation easement, that is in excess of the minimum amount of tree protection required by a Tree Plan 2 application.
 4. Proposals for HBA Mitigation shall:
 - a. replace existing HBA that is proposed for removal on the same project site.
 - b. be contiguous with an existing HBA or designated Clean Water Services Vegetated Corridor for a minimum of 50 feet.
 - c. be equal to or greater than existing HBA proposed for removal.
 5. Proposals for HBA Creation shall:
 - a. be developed with natural landscaping that supports native wildlife.

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60.12.35.1.C.5.

- b. be contiguous with an existing HBA or CWS vegetated corridor for a minimum of 50 feet.
- c. be a minimum of 2,500 square feet.

| 60.12.35. HABITAT BENEFIT AREA (HBA) PRESERVATION - CREDIT TABLE | | | |
|--|---|------------------|---|
| A. Purpose | HBA Preservation, Enhancement, Mitigation or Creation | Propose | One (1) square foot (Bldg Envelope Offset - one (1) lineal foot) |
| B. Credits | | Toward | Limit |
| 1. Building Envelope Offset | | setback | 1 lineal ft offsetting |
| 2. Building Height Increase | | bldg ht | 1 sf 12 ft |
| 3. Floor Area Reduction (MU) | | min. floor area | 1 sf 25% required floor area |
| 4. Landscape Island Standard Reduction | | landscape island | 1 sf 50% landscape island std |
| 5. Landscape Standard Reduction | | landscape | 1 sf 50% landscape std |
| 6. Lot Dimension Reduction | | lot dimension | 20% width/depth HBA sf = min 1 du |
| 7. Lot Size Averaging | | lot area per du | 80% to 120% HBA sf = min 1 du |
| 8. Open Space Standard Reduction | | open space | 1 sf 50% open space std |
| bldg = building, du = dwelling unit, ft = foot/feet, ht = height, sf = square feet, std = standard, min = minimum, max = maximum | | | |

60.12.40. Low Impact Development (LID) Techniques. Use of LID techniques is allowed throughout the City unless otherwise stated.

1. Additional Street Tree Canopy.

- A. Purpose. Increase street tree canopy by increasing the number of street trees for a project equal to an amount greater than the standard of one (1) tree per 30 lineal feet, but not to exceed one (1) tree per 20 lineal feet.
- B. Credits. Landscape Standard Reduction. For every one (1) square foot of additional street tree canopy proposed an applicant can request a credit of one (1) square foot toward the landscape standard.
- C. Standards. Landscape Standard Reduction credits for Additional Street Tree Canopy shall satisfy the following standards in addition to the applicable standards of Section 60.12.30.
 - 1. Credit Limit. The proposed Landscape Standard Reduction does not exceed 50 percent of the landscape standard for the project site.
 - 2. The additional Street Tree canopy is calculated based on the square footage of additional street tree canopy at 10 years maturity.
 - 3. The additional street tree canopy is calculated only for those trees in excess of the standard of one (1) tree per 30 lineal feet.
 - 4. The additional street tree is an accepted street tree as specified in the City of Beaverton's *Approved Tree List* and *Street of Trees Tour Guide*.

2. Site Soil Amendment.

- A. Purpose. Site Soil Amendment within proposed landscape areas for projects located in a Multiple-Family Residential, Commercial, Industrial, or Multiple Use zoning district. [ORD 4584; June 2012]

60.12.40.2.

B. Credits. Use of the following credits is limited to the amount Site Soil Amendment proposed. One (1) square foot of Site Soil Amendment results in one credit. Awarding a credit or a combination of credits shall not result in receipt of multiple credits for one (1) square foot of Site Soil Amendment.

1. Landscape Standard Reduction. For every one (1) square foot of Site Soil Amendment proposed an applicant can request a credit of one and one-half (1.5) square feet toward the landscape standard.

Standards. Landscape Standard Reduction credits for Site Soil Amendment shall satisfy the following standards in addition to the applicable standards of Section 60.12.30.

- a. Credit Limit. The proposed Landscape Standard Reduction does not exceed 50 percent of the landscape standard for the project site.

2. Landscape Island Standard Reduction. For every one (1) square foot of Site Soil Amendment proposed an applicant can request a credit of one and one-half (1.5) square feet toward the landscape island standard limited to 50 percent of the landscape island standard for the project site.

Standards. A request for Landscape Island Standard Reduction credits for Site Soil Amendment shall satisfy the following standards in addition to the applicable standards of Section 60.12.30.

- a. Credit Limit. The proposed Landscape Island Standard Reduction does not exceed 50 percent of the landscape island standard for the project based upon the minimum number of parking spaces required for the subject site divided by applicable standard of Section 60.05.20.5.A.

60.12.40.

3. Disconnect Downspouts.

- A. Purpose. Disconnect a downspout directing the roof stormwater to a rain garden for projects located in a Multiple-Family Residential, Commercial, Industrial, or Multiple Use zoning district. [ORD 4584; June 2012]
- B. Credits. Landscape Standard Reduction. Projects that disconnect downspouts from directly entering the piped municipal storm water system can count each square foot of roof area drained toward one-quarter (0.25) square feet of the landscape standard for the subject site. This credit is in addition to credits received for the rain garden, Section 60.12.40.B.5., that the roof stormwater is directed to flow into.
- C. Standards. Landscape Standard Reduction credits for Disconnecting a Downspout(s) shall satisfy the following standards in addition to the applicable standards of Section 60.12.30.
 - 1. Credit Limit. The proposed Landscape Standard Reduction does not exceed 50 percent of the landscape standard for the project site.
- D. Disconnection of downspouts will also be reviewed with a Building Permit.

4. Eco-Roof.

- A. Purpose. Install an Eco-Roof equal to at least 10 percent of the building footprint for projects located in a Multiple-Family Residential, Commercial, Industrial, or Multiple Use zoning district. [ORD 4584; June 2012]
- B. Credits. Use of the following credits is limited to the amount Eco-Roof proposed. One (1) square foot of Eco-Roof results in one credit. Awarding a credit or a combination of credits shall not result in receipt of multiple credits for one (1) square foot of Eco-Roof.

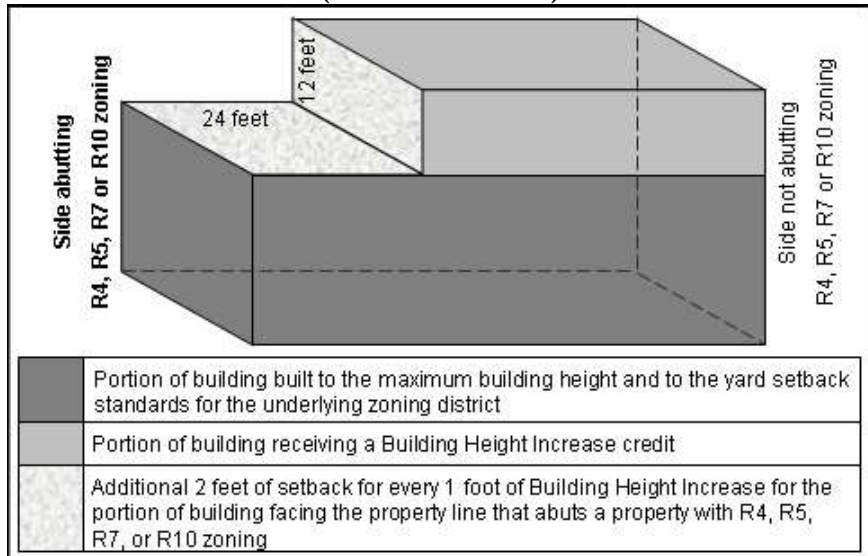
60.12.40.4.B.

1. Building Height Increase, Multiple Use Zoning Districts.
 - a. For a proposal that includes an Eco-Roof that is at least 10 percent but less than 30 percent of the building's footprint, an applicant can request an increase in building height up to 12 feet within the building footprint. The square footage of the building footprint receiving the building height increase shall be equal to or less than the square footage of Eco-Roof.
 - b. For a proposal that includes an Eco-Roof that is at least 30 percent but less than 60 percent of the building's footprint, an applicant can request an increase in building height up to 24 feet within the building footprint. The square footage of the building footprint receiving the building height increase shall be equal to or less than two (2) times the square footage of Eco-Roof.
 - c. For a proposal that includes an Eco-Roof that is at least 60 percent of the building's footprint, an applicant can request an increase in building height up to 36 feet within the building footprint.
 - d. Standards. Building Height Increase credits for installation of an Eco-Roof in a Multiple Use zoning district shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Section 60.12.40.4.C.
 - (1). Credit Limit. The proposed Building Height Increase does not exceed the relative 12, 24, or 36-foot standard outlined in a., b., or c., above.
 - (2). The square footage of the building footprint receiving the building height increase shall be equal to or less than three (3) times the square footage of Eco-Roof.

60.12.40.4.B.1.d.

- (3). When abutting an R4, R5, R7, or R10 zoning district, or equivalent County zoning district, the portion of the building(s) receiving the height increase shall be designed with an additional setback from the R4, R5, R7, or R10 zoning district, or equivalent County zoning district, of two (2) feet for every one (1) foot of building height increase. [ORD 4584; June 2012]

Building Height Increase Example with additional setback. (elevation view)



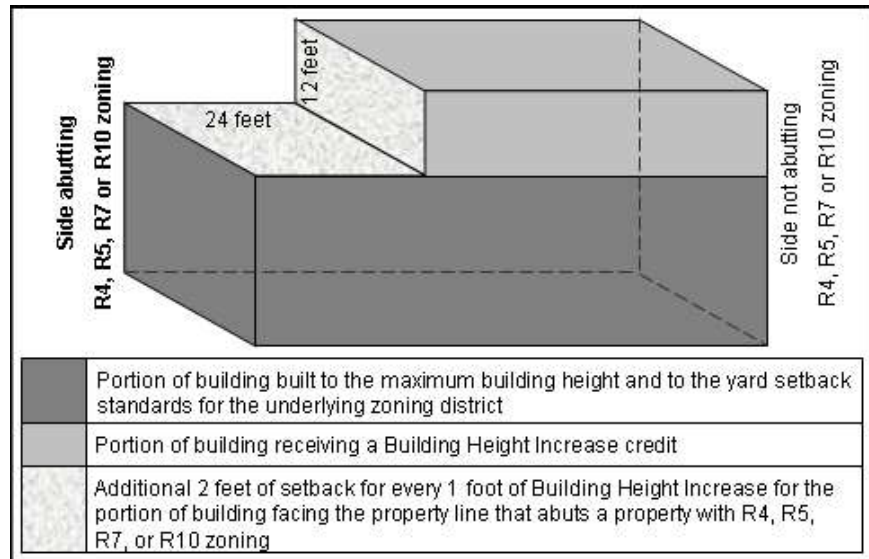
- (4). The building receiving the height increase shall be the building with the Eco-Roof.
- (5). The building receiving the height increase shall not increase the height within 50 feet of the Downtown Historic District or a Historic Landmark.

60.12.40.4.B.

2. Building Height Increase, Multiple-Family, Commercial and Industrial Zoning Districts.
 - a. For every one (1) square foot of Eco-Roof proposed an applicant can request a credit of one (1) square foot toward an increase in building height up to 12 feet within the building footprint.
 - b. Standards. Building Height Increase credits for installation of an Eco-Roof in a Multiple-Family, Commercial or Industrial zoning districts shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Section 60.12.40.4.C.
 - (1). Credit Limit. The proposed Building Height Increase does not exceed 12 additional feet for an area equal to the building footprint.
 - (2). The square footage of the building footprint receiving the building height increase shall be equal to or less than the square footage of Eco-Roof.
 - (3). When abutting an R4, R5, R7, or R10 zoning district, or equivalent County zoning district, the portion of the building(s) receiving the height increase shall be designed with an additional setback from the R4, R5, R7, or R10 zoning district, or equivalent County zoning district, of two (2) feet for every one (1) foot of building height increase. [ORD 4584; June 2012]

60.12.40.4.B.2.

Building Height Increase Example with additional setback. (elevation view)



- (4). The building receiving the height increase shall be the building with the Eco-Roof.
 - (5). The building receiving the height increase shall not increase the height within 50 feet of the Downtown Historic District or a Historic Landmark.
3. **Landscape Standard Reduction.** For a proposal that includes an Eco-Roof, every one (1) square foot of Eco-Roof earns one (1) square foot toward the landscape standard for the subject site.

Standards. Landscape Standard Reduction credits for installation of an Eco-Roof shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Section 60.12.40.4.C.

- a. **Credit Limit.** The proposed Landscape Standard Reduction does not exceed 50 percent of the landscape standard for the project site.

60.12.40.

5. Rain Garden.

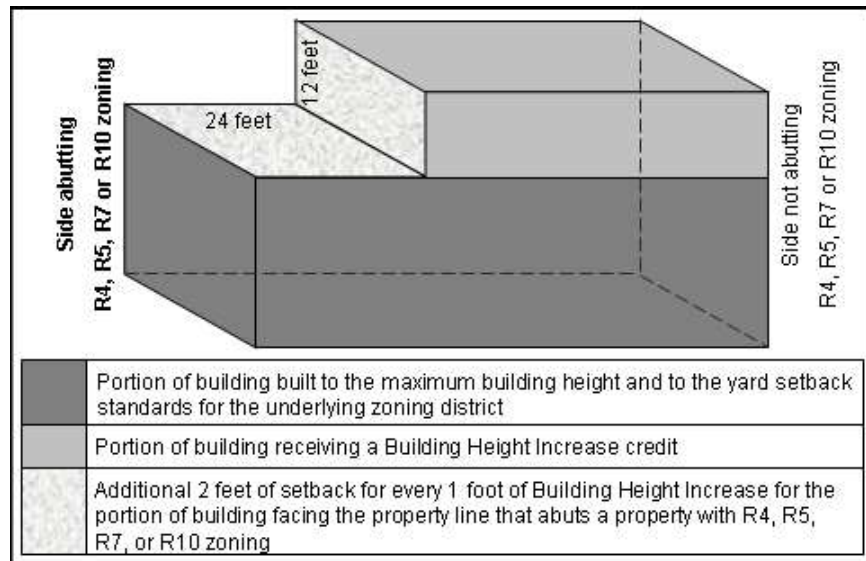
- A. Purpose. Integration of a facility that provides a bio-detention function, bio-retention function, or other vegetated on-site stormwater disposal function within a project site that is located in a Residential, Commercial, Industrial, or Multiple Use zoning district. [ORD 4584; June 2012]
- B. Credits. Use of the following credits is limited to the amount of stormwater that can be retained or detained by the Rain Garden proposed. One (1) cubic foot of stormwater retention or detention results in one credit. Awarding a credit or a combination of credits shall not result in receipt of multiple credits for one (1) cubic foot of stormwater retained or detained by the Rain Garden.
 - 1. Building Height Increase. A proposal for integration of a Rain Garden can request an increase in building height up to 12 feet within the building footprint.

The square footage of the building footprint receiving the building height increase shall be equal to or less three (3) square feet for every one (1) cubic foot of water retained or detained by the Rain Garden, not to exceed the square footage of the building footprint.

Standards. Building Height Increase credits for installation of a Rain Garden shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Section 60.12.40.5.C.

- a. Credit Limit. The proposed Building Height Increase does not exceed 12 feet of height above the standard for the underlying zoning district.
- b. When abutting an R4, R5, R7, or R10 zoning district, or equivalent County zoning district, the portion of the building(s) receiving the height increase shall be designed with an additional setback from the R4, R5, R7, or R10 zoning district, or equivalent County zoning district, of two (2) feet for every one (1) foot of building height increase. [ORD 4584; June 2012]

60.12.40.5.B.1.

Building Height Increase Example with additional setback. (elevation view)

- c. The building receiving the height increase shall be located within the project site where the Rain Garden is proposed.
 - d. The building receiving the height increase shall not increase the height within 50 feet of the Downtown Historic District or a Historic Landmark.
2. Landscape Island Standard Reduction. For every one (1) cubic foot of water retained or detained in the design of a proposed Rain Garden that is located within the design of the parking lot(s) for a project site, an applicant can request a credit of one and one-half (1.5) square feet toward the landscape island standard.

Standards. Landscape Island Standard Reduction credits for installation of a Rain Garden shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Section 60.12.40.5.C.

- a. Credit Limit. The proposed Landscape Island Standard Reduction does not exceed 75 percent of the landscape island standard for the project site.

60.12.40.5.B.

3. Landscape Standard Reduction. For every one (1) cubic foot of water retained or detained in the design of a proposed Rain Garden, an applicant can request a credit of three (3) square feet toward the landscape standard.

Standards. Landscape Standard Reduction credits for installation of a Rain Garden shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Section 60.12.40.5.C.

- a. Credit Limit. The proposed Landscape Standard Reduction does not exceed 75 percent of the landscape standard for the project site.

- C. Standards. Proposals that request credits for integration of a Rain Garden(s) shall satisfy the following standards in addition to the applicable standards of Section 60.12.30 and Sections 60.12.40.5.B.1. through 60.12.40.5.B.3.

1. The rain garden shall be designed to capture thirty-six hundredths (0.36) of an inch of rainfall in a four (4) hour period, minimum. The maximum bonus given shall be for a design that captures three (3) inches of rainfall in a 24 hour period (approximately a five-year storm) equivalent volume, even if part of a larger storm detention facility intended to meet the City's 25-year storm event requirement.
2. The rain garden shall be located on the site or abut the site in a right-of-way so that it is visible to the public from sidewalks that provide access to the project.
3. Any retaining walls proposed around the Rain Garden shall be less than or equal to 30 inches in height.
4. Landscape planting plans for the rain garden shall be prepared with consideration to sun and shade conditions.
5. There shall be no vertical obstruction with northern exposure of greater than four (4) feet directly adjacent to the rain garden. The minimum distance from such a north facing vertical obstruction to the rain garden shall be half the height of the vertical obstruction.

60.12.40.5.C.

6. The design and location of the rain garden shall be approved as part of the overall project during development review.
7. If not within a public right-of-way, the property owner shall set aside the rain garden in a conservation easement or a separate tract. The conservation easement or tract shall comply with the requirements of Section 60.12.55.2.

6. Rooftop Garden.

- A. Purpose. Integration of a Rooftop Garden in the design of a building(s) located in a Multiple-Family Residential, Commercial, Industrial, or Multiple Use zoning district. [ORD 4584; June 2012]
- B. Credits. Use of the following credits is limited to the amount Rooftop Garden proposed. One (1) square foot of Rooftop Garden results in one credit. Awarding a credit or a combination of credits shall not result in receipt of multiple credits for one (1) square foot of Rooftop Garden.
 1. Building Height Increase. A proposal that integrates a Rooftop Garden can request an increase in building height up to 12 feet within the building footprint. The square footage of the building footprint receiving the building height increase shall be equal to or less than one-half (0.5) square foot for every one (1) square foot of Rooftop Garden proposed, not to exceed the square footage of the building footprint.

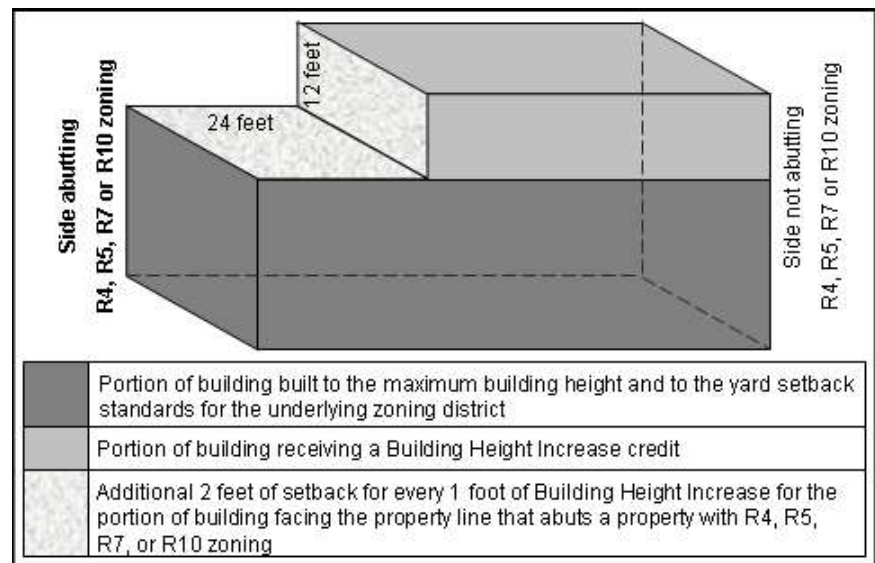
Standards. Building Height Increase credits for integration of a Rooftop Garden shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Section 60.12.40.6.C.

- a. Credit Limit. The proposed Building Height Increase does not exceed 12 feet of height above the standard for the underlying zoning district

60.12.40.6.B.1.

- b. When abutting an R4, R5, R7, or R10 zoning district, or equivalent County zoning district, the portion of the building(s) receiving the height increase shall be designed with an additional setback from the R4, R5, R7, or R10 zoning district, or equivalent County zoning district, of two (2) feet for every one (1) foot of building height increase. [ORD 4584; June 2012]

Building Height Increase Example with additional setback. (elevation view)



- c. The building receiving the height increase shall be the building with the Rooftop Garden.
- d. The building receiving the height increase shall not increase the height within 50 feet of the Downtown Historic District or a Historic Landmark.

60.12.40.6.B.

2. Landscape Standard Reduction. For every one (1) square foot of Rooftop Garden constructed an applicant can request a credit toward one and one-half (1.5) square feet of the landscape standard for the project site.

Standards. Landscape Standard Reduction credits for integration of a Rooftop Garden shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Section 60.12.40.6.C.

- a. Credit Limit. The proposed Landscape Standard Reduction does not exceed 50 percent of the landscape island standard for the project site.
- C. Standard. A Rooftop Garden shall be equivalent to at least 25 percent of the building footprint and at least 30 percent of the garden area shall contain live plants. In addition, a proposal for a Rooftop Garden shall satisfy the applicable standards of Section 60.12.30.

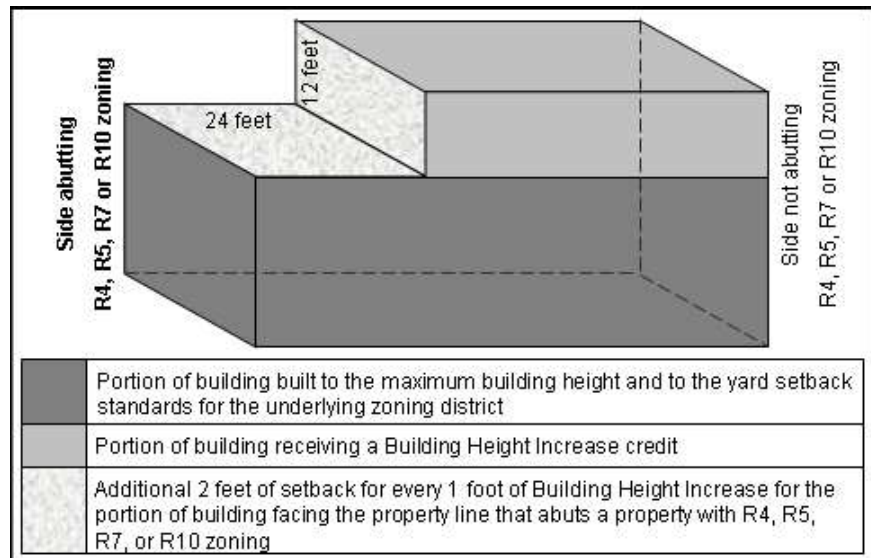
7. Integrated Parking.

- A. Purpose. Integration of below-grade, tuck-under, or structured parking within the footprint of a building(s) located in a multiple use, multiple-family residential, commercial, or industrial zoning district or structured parking located in a multiple use zoning district.
- B. Credit. Building Height Increase. A proposal that includes Integrated Parking can request an increase in building height up to 12 feet within the building footprint. The square footage of the building footprint receiving the building height increase shall be equal to or less than two (2) square feet for every 100 square feet of integrated parking proposed, not to exceed the square footage of the building footprint.
- C. Standards. Building Height Increase credits for Integrated Parking shall satisfy the following standards in addition to the applicable standards of Section 60.12.30.

60.12.40.7.C.

1. Credit Limit. The proposed Building Height Increase does not exceed 12 feet of height above the standard for the underlying zoning district.
2. For every structured parking space provided there shall be a reduction of at least one surface parking space that otherwise could have been provided within the maximum parking ratio requirements of Section 60.30.
3. When abutting an R4, R5, R7, or R10 zoning district, or equivalent County zoning district, the portion of the building(s) receiving the height increase shall be designed with an additional setback from the R4, R5, R7, or R10 zoning district, or equivalent County zoning district, of two (2) feet for every one (1) foot of building height increase. [ORD 4584; June 2012]

Building Height Increase Example with additional setback. (elevation view)



4. The building receiving the height increase shall be the building with the Integrated Parking.
5. The building receiving the height increase shall not increase the height within 50 feet of the Downtown Historic District or a Historic Landmark.

60.12.40.

8. Trees, Existing Canopy Preservation.

- A. Purpose. Preservation of existing tree canopy within ten (10) linear feet of a proposed surface parking lot and vehicle maneuvering area.
- B. Credit. Landscape Island Standard Reduction. For every one (1) square foot of existing Tree Canopy preserved, an applicant can request a credit of one (1) square foot toward the landscape island standard of Section 60.05.20.5.

EXAMPLE: If an applicant proposes development of a site and the size of the proposed parking lot results in standard construction of five (5) landscape islands equal to an area of 350 square feet and planting of five (5) trees, the applicant can alternately propose preservation of three mature trees within a 200 square foot area and supply two (2) or three (3) landscape islands totaling 175 square feet landscape area with two (2) trees. 60.12.40.8.

- C. Standards. Landscape Island Standard Reduction credits for Existing Canopy Preservation of Trees shall satisfy the following standards in addition to the applicable standards of Section 60.12.30.
 - 1. Credit Limit. The proposed Landscape Island Standard Reduction does not exceed 50 percent of the landscape island standard for the project site.
 - 2. The proposal satisfies the approval criteria of the applicable Tree Plan application, if any.
 - 3. The tree(s) that holds the canopy proposed for preservation is proposed for protection as outlined in Section 60.60.20. of this Code for Protected Trees.

60.12.40.

9. Trees, Mitigation.

- A. Purpose. Mitigation for removal of non-exempt surveyed tree(s) considered Community Trees, Historic Trees or Street Trees.
- B. Credits. Landscape Standard Reduction. For every one (1) square foot of tree canopy mitigated, an applicant can request a credit toward one-half (0.5) square foot of the landscape standard for the project site.
- C. Standards. Landscape Standard Reductions for Mitigation of Trees shall satisfy the following standards in addition to the applicable standards of Section 60.12.30.
 - 1. Credit Limit. The proposed Landscape Standard Reduction does not exceed 50 percent of the landscape standard for the project site.
 - 1. The proposal satisfies the approval criteria of the applicable Tree Plan application, if any.
 - 2. Mitigation of Community Trees, Historic Trees or Street Trees under the provisions of this section satisfies the mitigation standards of Section 60.60.25.1. for Significant Individual Trees or trees within Significant Groves or SNRAs.

10. Trees, Preservation.

- A. Purpose. Preservation of at least 25 percent of the total tree canopy square footage of non-exempt surveyed tree(s) considered Community Trees, Historic Trees or Street Trees.
- B. Credit. Landscape Standard Reduction. For every one (1) square foot of tree canopy preserved, an applicant can request a credit toward one (1) square foot of the landscape standard for the project site, limited to 50 percent of the landscape standard for the project site.
- C. Standards. Landscape Standard Reduction credits for Preservation of Trees shall satisfy the following standards in addition to the applicable standards of Section 60.12.30.

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60.12.40.10.C.

1. Credit Limit. The proposed Landscape Standard Reduction does not exceed 50 percent of the landscape standard for the project site. 60.12.40.10.C.
2. The proposal satisfies the approval criteria of the applicable Tree Plan application, if any.
3. The Community, Historic or Street tree(s) proposed for preservation under the provisions of this section is proposed for protection during development as outlined by Section 60.60.20. of this Code for Protected Trees.

11. Trees, Box Filter.

- A. Purpose. Integration of a Tree Box Filter(s) and its associated improvements in the design of a project site.
- B. Credits. Landscape Standard Reduction. For every one (1) square foot of proposed site improvements associated with installation of a Tree Box Filter an applicant can request a credit of two (2) square feet toward the landscape standard.
- C. Standards. Landscape Standard Reduction credits for integration of a Tree Box Filter(s) shall satisfy the following standards in addition to the applicable standards of Section 60.12.30.
 1. Credit Limit. The proposed Landscape Standard Reduction does not exceed 50 percent of the landscape standard for the project site.

| 60.12.40. LOW IMPACT DEVELOPMENT (LID) TECHNIQUES - CREDIT TABLE | | | |
|--|---|---|---------------------------------|
| 1. Additional Street Tree Canopy | | | |
| A. Purpose | Add tree canopy by adding street trees above standard | Propose 1sf additional street tree canopy | |
| B. Credits | | Toward | Amount Limit |
| | Landscape Standard Reduction | landscape | 1 sf 50% landscape std |
| 2. Site Soil Amendment | | | |
| A. Purpose | Amend soils for additional water absorption | Propose 1sf amended site soils | |
| B. Credits | | Toward | Amount Limit |
| | 1. Landscape Standard Reduction | landscape | 1.5 sf 50% landscape std |
| | 2. Landscape Island Standard Reduction | landscape island | 1.5 sf 50% landscape island std |
| 3. Disconnect Downspouts | | | |
| A. Purpose | Direct roof stormwater runoff to a Rain Garden | Propose 1sf of roof area drained | |
| B. Credits | | Toward | Amount Limit |
| | 1. Landscape Standard Reduction | landscape | 0.25 sf 50% landscape std |
| bldg = building, du = dwelling unit, ft = foot/feet, ht = height, sf = square feet, std = standard, min = minimum, max = maximum | | | |

[ORD 4498; January 2009]

SPECIAL REQUIREMENTS
Low Impact Development Techniques

60.12.40.

| 60.12.40. LOW IMPACT DEVELOPMENT (LID) TECHNIQUES - CREDIT TABLE | | | | |
|--|--|--|--------|--------------------------|
| 4. Eco-Roof | | | | |
| A. Purpose | Eco-Roof to absorb roof stormwater | Propose 1sf of Eco-Roof | | |
| B. Credits | | Toward | Amount | Limit |
| 1. Building Height Increase, Multiple use zoning districts | | | | |
| a. | 10% to < 30% of building footprint | bldg-height | 1 sf | 12 ft above bldg ht |
| b. | 30% to < 60% of building footprint | bldg-height | 2 sf | 24 ft above bldg ht |
| c. | 60% or more of building footprint | bldg-height | 3 sf | 36 ft above bldg ht |
| 2. Building Height Increase, Multiple-Family, Commercial, and Industrial zoning districts | | | | |
| | | bldg-height | 1 sf | 12 ft above bldg ht |
| 3. Landscape Standard Reduction | | | | |
| | | landscape | 1 sf | 50% landscape std |
| 5. Rain Garden | | | | |
| A. Purpose | Bio-detention, bio-retention, or other vegetated facility | Propose 1cu ft of water detained/retained | | |
| B. Credits | | Toward | Amount | Limit |
| 1. Building Height Increase | | | | |
| | | bldg-height | 3 sf | 12 ft above bldg ht |
| 2. Landscape Island Standard Reduction | | | | |
| | | landscape island | 1.5 sf | 75% landscape island std |
| 3. Landscape Standard Reduction | | | | |
| | | landscape | 3 sf | 75% landscape std |
| 6. Rooftop Garden | | | | |
| A. Purpose | Rooftop improvements to absorb roof stormwater | Propose 1sf of rooftop garden | | |
| B. Credits | | Toward | Amount | Limit |
| 1. Building Height Increase | | | | |
| | | bldg-height | 0.5 sf | 12 ft above bldg ht |
| 2. Landscape Standard Reduction | | | | |
| | | landscape | 1.5 sf | 50% landscape std |
| 7. Integrated parking | | | | |
| A. Purpose | Below-grade, tuck-under, or structured parking | Propose 100 sf of integrated parking | | |
| B. Credits | | Toward | Amount | Limit |
| 1. Building Height Increase | | | | |
| | | bldg-height | 2 sf | 12 ft above bldg ht |
| 8. Trees, Existing Canopy Preservation | | | | |
| A. Purpose | Preserve tree canopy within 10 ft of parking & maneuvering | Propose 1sf tree canopy preserved | | |
| B. Credits | | Toward | Amount | Limit |
| 1. Landscape Island Standard Reduction | | | | |
| | | landscape island | 1 sf | 50% landscape island std |
| 9. Trees, Mitigation | | | | |
| A. Purpose | Mitigate Community, Historic, or Street Tree removal | Propose 1sf tree canopy mitigated | | |
| B. Credits | | Toward | Amount | Limit |
| 1. Landscape Standard Reduction | | | | |
| | | landscape | 0.5 sf | 50% landscape std |
| 10. Trees, Preservation | | | | |
| A. Purpose | Preserve Community, Historic, or Street Tree canopy | Propose 1sf tree canopy preserved | | |
| B. Credits | | Toward | Amount | Limit |
| 1. Landscape Standard Reduction | | | | |
| | | landscape | 1 sf | 50% landscape std |
| 11. Trees, Box Filter | | | | |
| A. Purpose | Install Tree Box Filter | Propose 1sf tree box filter & improvements | | |
| B. Credits | | Toward | Amount | Limit |
| 1. Landscape Standard Reduction | | | | |
| | | landscape | 2 sf | 50% landscape std |
| bldg = building, du = dwelling unit, ft = foot/feet, ht = height, sf = square feet, std = standard, min = minimum, max = maximum | | | | |

[ORD 4584; June 2012]

60.12.45. Maintenance.

1. **Covenant with the City.** An applicant that requests enhancement, mitigation or creation of HBA or integration of LID techniques in association with the provisions of Section 60.12. shall execute a covenant with the City that ensures the preservation, installation, maintenance, and replacement, if necessary, of the HBA or LID improvements and that meets the requirements of Section 60.12.45.1.A., below. Covenants shall be liberally construed for maximum protection of health, safety, and welfare of life and property.
 - A. Content of the covenant. A covenant required by this Code or as a condition of land use approval shall provide that:
 1. The City's need to address a clear and present danger to life or property shall supersede limitations of a covenant;
 2. The owner will comply with all applicable Code requirements and conditions of approval;
 3. If the owner fails to perform under the covenant, the City may at any time seek any available legal or equitable remedy. However, there is a preference for negotiated resolution without the necessity of litigation;
 4. If, within one year of a citation filed by the City for violation under this section, the owner fails to carry out necessary repairs to on-site facilities, or to otherwise restore facilities to their intended functions, the city may terminate occupancy of the site and seek an injunction prohibiting future occupancy of the site while a violation of the covenant exists;
 5. Where the development rights of one site are dependent on the performance of conditions by the owner of another site, the covenants are judicially enforceable by the owner of one site against the owner of another;
 6. The applicant and property owner shall submit to the City of Beaverton a right of inspection allowing City staff or City contracted personnel to inspect the facility for proper function: and

60.12.45.1.A.

7. The city may condition permit or development approval upon provision of a surface and subsurface utility easement notwithstanding the beneficial effect of a covenant under this section.
- B. The covenant shall run with the land. The covenant shall be attached to the deed and be recorded in the appropriate records of Washington County. Proof of the recording shall be made prior to the issuance of any construction permits.
- C. Modifying the covenant.
 1. Modifications to a land use approval or a condition thereof shall be obtained through an amendment to the original land use decision subject to the provisions of Section 50.95. of this Code.
 2. Modifications that do not affect a land use approval or a condition thereof may be amended by written agreement by the parties without undergoing a land use application.
 3. The modified covenant shall run with the land. The modified covenant shall be attached to the deed and be recorded in the appropriate records of Washington County. Proof of the recording shall be made prior to the issuance of any building permits.

2. Preserved HBA.

- A. Commercial, Industrial or Multiple use zoning districts. When preserving HBA in a Commercial, Industrial or Multiple Use zoning district, the property owner shall place the preserved HBA in a conservation easement and shall execute a covenant for preservation and maintenance of the HBA. The conservation easement and covenant documents shall be attached to the deed and be recorded in the appropriate records of Washington County.

60.12.45.2.

B. Residential zoning districts.

1. Single-family Residential zones. When preserving HBA in a single-family residential development that requires a Land Division application, the property owner shall place the preserved HBA in a separate tract. This tract may be retained by the property owner with the execution of a covenant or the tract may be dedicated to a public entity willing to receive the HBA.
2. Multi-family Residential zones. When preserving HBA in a multi-family residential development that does not require a Land Division application, the property owner shall place the preserved HBA in a conservation easement and shall execute a covenant for preservation and maintenance of the HBA. The conservation easement and covenant documents shall be attached to the deed and be recorded in the appropriate records of Washington County.
3. **Conditions of Approval.** A land use approval shall include conditions of approval that define the specific obligations for the site regarding preservation, installation, maintenance, and replacement of improvements related to preserved HBA or LID technique implementation or both.

60.15. LAND DIVISION STANDARDS. [ORD 4224; August 2002] [ORD 4487; August 2008]

60.15.05. Purpose. It is the purpose of this section to establish uniform design and development standards and requirements for all land division applications in Section 40.45. of this Code.

60.15.10. Grading Standards.

- 1. Applicability.** The on-site surface contour grading standards specified in Section 60.15.10.3. are applicable to all land use proposals where grading is proposed, including land division proposals and design review proposals, as applicable. This Section does not supersede Section 60.05.25. (Design Review) and the exemptions listed in Section 60.15.10.2. will apply equally to design review proposals.
- 2. Exemptions.** The following improvements will be exempted from the on-site surface contour grading standards specified in Section 60.15.10.3.:
 - A. Public right-of-way road improvements such as new streets, street widening, sidewalks, and similar or related improvements.
 - B. Storm water detention facilities subject to review and approval of the City Engineer.
 - C. On-site grading where the grading will take place adjacent to an existing public street right-of-way, and will result in a finished grade that is below the elevation of the subject public street right-of-way; provided such grading is subject to the approval of the City Engineer, who may require appropriate erosion and sediment control mitigation measures.
- 3. On-site surface contouring.** When grading a site within twenty-five (25) feet of a property line within or abutting any residentially zoned property, the on-site surface contours shall observe the following:
 - A. 0 to 5 feet from property line: Maximum of two (2) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]

60.15.10.3.

- B. More than 5 feet and up to and including 10 feet from property line: Maximum of four (4) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]
 - C. More than 10 feet and up to and including 15 feet from property line: Maximum of six (6) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]
 - D. More than 15 feet and up to and including 20 feet from property line: Maximum of eight (8) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]
 - E. More than 20 feet and up to and including 25 feet from property line: Maximum of ten (10) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]
 - F. Where an existing (pre-development) slope exceeds one or more of the standards in subsections 60.15.10.3.A-E, above, the slope after grading (post-development) shall not exceed the pre-development slope.
 - G. The on-site grading contours standards above apply only to the property lines of the parent parcel of a development. They do not apply to internal property lines within a development. [ORD 4584; June 2012]
4. **Significant Trees and Groves.** Notwithstanding the requirements of Section 60.15.10.3, above, grading within 25 feet of a significant tree or grove, where the tree is located on- or off-site, shall observe the following:
- A. 0 to 10 feet from the trunk of a significant tree or grove: No change in pre-development ground elevation;
 - B. More than 10 feet, and up to and including 25 feet, from the trunk of a significant tree or grove, or to the outside edge of the tree's drip line, whichever is greater: Maximum 10% slope gradient difference from the pre-development ground elevation;

60.15.10.4.

- C. Based on a recommendation of the City Arborist, the decision making body may require additional setbacks and/or other tree protection measures to protect the public health, safety and welfare.

60.15.15. Final Plat Standards.

1. **Easements and rights-of-way.** Refer to Chapter 9.05 of the Beaverton Municipal Code and Chapter 1, Section 130 of the *Beaverton Engineering Design Manual*. [ORD 4584; June 2012]
2. **Building lines.** The Director may approve special setbacks based upon the consideration for safety, topography, geology, solar access or other such reasons. If special building setback lines are to be established in the land division that are greater than required by this Code, they shall be shown on the final land division and included in the deed restriction.
3. **Dedications.** Infrastructure or public improvements such as public streets, sidewalks, pedestrian ways, bikeways, multi-use paths, sanitary sewer, storm water system, potable and non-potable water systems, traffic control devices, parks, open space, and other public rights-of-way required as needed to serve the development, shall be installed at the expense of the developer and dedicated or otherwise conveyed to the City or the appropriate jurisdiction for maintenance. Dedication of any land for park or open space purposes must be approved by the jurisdiction to which the park or open space is being dedicated prior to Final Land Division approval. [ORD 4783; April 2020]
4. **Homeowners' Associations and declarations.** When a Homeowners' Association Agreement or other restrictive covenants are to be recorded with the development, a copy of the appropriate documents shall be submitted with the final plat. The City shall review such documents to ensure that common areas are properly maintained and that other restrictions required by the City are included.
5. **Monuments and bench marks.** The developer shall establish and designate monuments and bench marks on the Final Plat.
6. **Street trees.** Prior to City approval of the Final Plat, street trees shall be planted along street frontages in accordance with the following:

60.15.15.6.

- A. For detached dwelling land divisions, the Developer shall pay a fee to the City. The City shall be responsible for tree purchase and planting, and maintenance for one year, consisting of pruning, disease control and watering. The fee shall be based upon a standard of one tree per thirty (30) lineal feet of street frontage, with standard rounding methods applied for fractions thereof. The fee to be charged and collected shall be established and from time to time amended by Resolution of the City Council.
- B. For all other land divisions, trees shall be planted at a maximum linear spacing of 30 feet along street frontages or in accordance with an approved street tree plan approved by the City Arborist or City Engineer. [ORD 4782; April 2020]
- C. Trees shall be planted in accordance with the City's Tree Planting and Maintenance Policy.

60.20. MOBILE AND MANUFACTURED HOME REGULATIONS.

[ORD 3191; December 1980] [ORD 3739; September 1990] [ORD 3846; May 1993] [ORD 3899; June 1994]

60.20.05. Purpose. The purpose of these regulations is to establish criteria for the placement of mobile homes and manufactured homes within the City of Beaverton. Mobile homes and manufactured homes provide a wider choice of housing types suitable for a greater range of households, lifestyles and economic levels of present and anticipated populations. Mobile homes and manufactured homes will be located and shall comply with all applicable City and State standards. [ORD 3899; June 1994]

60.20.10. Mobile Home Subdivisions.

1. Mobile Home subdivisions are Permitted Uses in the R5 zone. [ORD 3739; September 1990] In addition to the standards of the zone in which the proposals are located and the other standards of this ordinance, they shall comply with all applicable State standards and other City standards for a subdivision. No other types of residential units, other than mobile homes and manufactured homes, shall be located in subdivisions of this type. The placement of manufactured homes in a mobile home subdivision shall be governed by Section 60.20.20 of this ordinance.
2. Standards for the placement of mobile homes on individual lots within a mobile home subdivision:
 - A. The mobile home shall have an Oregon insignia [ORD 3739; September 1990] No reconstruction or equipment installation shall have been made to a mobile home unless it has been approved by the State as evidence by the appropriate insignia.
 - B. A mobile home shall be attached to a foundation for which a building permit has been obtained.
 - C. The mobile home shall be connected to a public water supply and sewage disposal system.
 - D. The wheels, tongue and traveling lights of the mobile home shall be removed.

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60.20.10.2.

- E. In the event a mobile home is removed after installation, the property owner shall within 120 days either replace the mobile home with another approved mobile home or remove the foundation, mobile home accessory buildings and other structures on the property. At the time of mobile home is removed, water, sewer and all other utilities shall be disconnected as may be specified by the City. The City may make the removal and disconnection and place a lien against the property for the cost of the work if the owner fails to perform the work within a specified time.
- F. The mobile home shall be owned by the owner of the lot on which it is installed.
- G. Except for a structure which conforms to the State definition of a mobile home accessory structure, no extension shall be attached to a mobile home.
- H. The mobile home shall have a roof with a minimum slope of sixteen percent (16%) (2:12), and have composite or shake roof, or other roofing materials approved by the Director. [ORD 4332; January 2005]
- I. The mobile home shall be double wide or wider.
- J. The underside of the floor shall be a minimum of 18 inches above ground level at any point.
- K. Mobile home siting shall conform to lot area, yard dimensions and all other dimensional requirements of the zone in which it is located.

60.20.15. Mobile Home Park Regulations.

- 1. Mobile home parks are Permitted Uses in the R5 zone. They are Conditional Uses in the R2 zone, subject to Section 40.15. [ORD 3739; September 1990]. Density for the mobile home parks shall be compatible with the zone in which they are located and calculated according to Chapter 90. Mobile home parks shall be subject to the following standards:

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- A. The design for the mobile home park shall conform to all applicable State standards established by the State of Oregon, Department of Commerce mobile home park standards (effective - February 1, 1979).
- B. All mobile homes shall have an Oregon insignia. [ORD 3739; September 1990] No reconstruction or equipment installation shall be made to a mobile home unless it has been approved by the State as evidenced by the appropriate insignia.
- C. The mobile home park shall occupy at least one acre.
- D. Evidence shall be provided that the park will be eligible for a certificate of sanitation as required by State Law.
- E. Each mobile home shall be connected to a public water supply and sewer disposal system.
- F. A mobile home and any attached accessory structure shall not be located closer than:
 - 1. Fifteen (15) feet from any other mobile home.
 - 2. Ten (10) feet from any detached accessory building or other building located within the mobile home park.
 - 3. Five (5) feet from a mobile home park property line.
- G. Except for a structure which conforms to the State definition of a mobile home accessory structure, no extension shall be attached to a mobile home.
- H. Mobile homes shall be installed under the provisions of the administrative rules adopted by the Oregon Department of Commerce (adopted February 1, 1979).
- I. A mobile home shall have continuous perimeter skirting installed pursuant to State regulations. Skirting shall be of the same material and finish as the exterior of the mobile home or otherwise approved by the Director.

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- J. Except for nonconforming mobile homes as described in 2., below, a mobile home shall contain a minimum floor area of 800 square feet of gross floor area. The size shall exclude the tongue of the mobile home.
- K. The wheels, tongue and traveling lights of the mobile home shall be removed.
- L. The underside of the floor area shall be a minimum of 18 inches above ground level at any point.
- M. The internal street system shall conform to the standards specified by the City Engineering Design Manual and Standard Drawings. [ORD 4224; August 2002]
- N. Setbacks for a mobile home park property shall be the same as the zone in which it is located.
- O. Landscaping shall be equivalent to 15% of the area of the park.

[ORD 4332; January 2005]

- 2. Mobile home parks existing at the adoption of this ordinance not meeting the standards set forth herein shall be considered nonconforming and are subject to the nonconforming use provisions of this ordinance. Nonconforming mobile homes in such parks may be replaced with like mobile homes when they are moved or destroyed.
- 3. Mobile homes not meeting the size requirements set forth in subsection 1.L. above, which at the adoption of this ordinance are located in approved mobile home parks in the City, shall be considered nonconforming structures and may continue to remain or to be moved to another mobile home park.
- 4. Mobile home parks and subdivisions are prohibited in Commercial and Industrial districts. [ORD 3739; September 1990]

60.20.20. Manufactured Homes. [ORD 3899; June 1994]

1. Manufactured Homes are Permitted on individual lots in the R5, R7, and R10 zones subject to the siting and design standards listed below: [ORD 4584; June 2012]
 - A. The manufactured home shall be multisectional ("double-wide" or wider) and enclose a floor area of at least 1000 square feet;
 - B. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade. Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement, the 12 inch limitation will not apply.
 - C. The manufactured home shall have a pitched roof with a slope not less than a nominal 3 feet in height for each 12 feet in width;
 - D. The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the local permit authority
 - E. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as identified under ORS 455.010.
 - F. The manufactured home shall have a garage or carport constructed of like materials.
 - G. A manufactured home shall have continuous perimeter skirting installed. Skirting shall be of the same material and finish as the exterior of the manufactured home. Pressure treated wood, concrete, brick, or stone shall be used.

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60.20.20.1.

- H. A manufactured home shall not be sited abutting any structure or property identified as a Historic District, Preservation District or Landmarks.
- I. All manufactured homes shall utilize at least two of the following design features:
 - 1. Dormers;
 - 2. Recessed entries;
 - 3. Cupolas;
 - 4. Bay or bow windows;
 - 5. Attached garages;
 - 6. Window shutters;
 - 7. A roof with a pitch greater than nominal 3/12;
 - 8. Off-sets on building face or roof (minimum 12");
 - 9. Gables;
 - 10. Covered porch or entry;
 - 11. Pillars or posts;
 - 12. Eaves (minimum 6");
 - 13. Tile or shake roof;
 - 14. Horizontal lap siding.

60.25. OFF-STREET LOADING REQUIREMENTS. [ORD 4224; August 2002]

60.25.05. Applicability. No building or structure subject to the off-street loading requirements of this section shall be erected, nor shall any such existing building or structure be altered so as to increase its gross floor area to an amount exceeding 25% more than its existing gross floor area, without prior provisions for off-street loading space in conformance with the requirements of this section.

60.25.10. Loading Berth Design. Required off-street loading space shall be provided in berths which conform to the following minimum specifications:

1. Type A berths shall be at least 60 feet long by 12 feet wide by 15 feet high, inside dimensions with a 60-foot maneuvering apron.
2. Type B berths shall be at least 30 feet long by 12 feet wide by 14 feet 6 inches high, inside dimensions with 30 feet maneuvering apron.

60.25.15. Number of Required Loading Spaces. The following numbers and types of berths shall be provided for the specified uses. The uses specified below shall include all structures designed, intended or arranged for such use. In the case of a use not specifically mentioned, the requirements for off-street loading facilities shall be the same as a use which is most similar.

| | | AGGREGATE FLOOR AREA (SQ. FT.) | BERTHS REQUIRED | TYPE |
|-----|--|---|--------------------|------|
| USE | | | | |
| 1. | Freight terminals, Industrial plants, Manufacturing or wholesale establishments, Warehouses. | 12,000 - 36,000 | 1 | A |
| | | 36,001 - 60,000 | 2 | A |
| | | 60,001 - 100,000 | 3 | A |
| | | each additional 50,000 or fraction thereof | 1 additional | A |
| 2. | Auditoria, Motel, Convention Halls, or Sports Arenas. [ORD 3293; November 1982] | 25,000 - 150,000 | 1 | B |
| | | 150,001 - 400,000 | 2 | B |
| | | each additional 250,000 or fraction thereof | 1 additional | B |
| | | | | |

SPECIAL REQUIREMENTS**Off-Street Loading****60.25.15.**

- | | | | | |
|----|---|---|-----------------------------|------------------|
| 3. | Hospitals, Residential Care Facilities. [ORD 4036; April 1999] | 10,000 - 100,000 over 100,000 | 1 2 | B B |
| 4. | Department stores, retail establishments, funeral homes, restaurants, and commercial establishments not otherwise specified. | 7,000 - 24,000 24,001 - 50,000 50,001 - 100,000 each additional 50,000 or fraction thereof | 1 2 3 1 additional | B B B B |
| 5. | Hotels, Extended Stay Hotels or Office Buildings. [ORD 3958; June 1996] [ORD 4584; June 2012] | 25,000 - 40,000 40,001 - 100,000 each additional 100,000 or fraction thereof | 1 2 1 additional | B B B |
| 6. | Schools | over 14,000 | 1 | B |
| 7. | <u>Concurrent different uses.</u> When any proposed structure will be used concurrently for different purposes, final determination of loading requirements will be made by the decision making authority but in no event shall the loading requirements be less than the total requirement for each use based upon its aggregate floor area. | | | |

60.25.20. Loading Facilities Location.

1. The off-street loading facilities required for the uses mentioned in this Code shall be in all cases on the same lot or parcel of land as the structure they are intended to serve. In no case shall the required off-street loading space be part of the area used to satisfy the off-street parking requirements.
2. No space for loading or unloading vehicles shall be so located that a vehicle using such loading space projects into any public street. Loading space shall be provided with access to any alley, or if no alley adjoins the lot, with access to a street. Any required front, side or rear yard may be used for loading unless otherwise prohibited by this Code.

60.25.25. Loading Determination. Off-Street loading requirements may be modified pursuant to Section 40.50. (Loading Determination)

60.30. OFF-STREET PARKING.

60.30.05. Off-Street Parking Requirements. Parking spaces shall be provided and satisfactorily maintained by the owner of the property for each building or use which is erected, enlarged, altered, or maintained in accordance with the requirements of Sections 60.30.05. to 60.30.20.

- 1. Availability.** Required parking spaces shall be available for parking operable passenger automobiles and bicycles of residents, customers, patrons and employees and shall not be used for storage of vehicles or materials or for parking of trucks used in conducting the business or use.
- 2. Vehicle Parking.** Vehicle parking shall be required for all development proposed for approval after November 6, 1996 unless otherwise exempted by this ordinance. The number of required vehicle parking spaces shall be provided according to Section 60.30.10.5.
- 3. Bicycle Parking.** [ORD 3965; November 1996] Bicycle parking shall be required for all multi-family residential developments of four units or more, all retail, office and institution developments, and at all transit stations and park and ride lots which are proposed for approval after November 6, 1996. The number of required bicycle parking spaces shall be provided according to Section 60.30.10.5. All bike parking facilities shall meet the specifications, design and locational criteria as delineated in this section and the Engineering Design Manual. [ORD 4397; August 2006]

[ORD 4107; May 2000]

60.30.10. Number of Required Parking Spaces. Except as otherwise provided under Section 60.30.10.11., off-street vehicle, bicycle, or both parking spaces shall be provided as follows:

- 1. Parking Calculation.** Parking ratios are based on spaces per 1,000 square feet of gross floor area, unless otherwise noted.
- 2. Parking Categories.**
 - A. Vehicle Categories.** Contained in the table at Section 60.30.10.5. are vehicle parking ratios for minimum required parking spaces and maximum permitted number of vehicle parking spaces to be provided for each land use, except for those uses which are located in the Regional Center which are governed by Section 60.30.10.6. These requirements reflect the parking requirements of Title 4 of Metro's Regional Transportation Functional Plan. [ORD 4471; February 2008] [ORD 4584; June 2012] [ORD 4686; July 2016]

60.30.10.2.A.

1. Minimum number of required parking spaces. For each listed land use, the City shall not require more than the minimum number of parking spaces calculated for each use.
2. Parking Zone A. Parking Zone A reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone A areas include those parcels that are located within one-quarter mile walking distance of bus transit stops that have 20-minute peak hour transit service or one-half mile walking distance of light rail station platforms that have 20-minute peak hour transit service.
3. Parking Zone B. Parking Zone B reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone B areas include those parcels that are located within one-quarter mile walking distance of bus transit stops, one-half mile walking distance of light rail station platforms, or both, or that have a greater than 20 minute peak hour transit service. Parking Zone B areas also include those parcels that are located at a distance greater than one-quarter mile walking distance of bus transit stops, one-half mile walking distance of light rail station platforms, or both.
4. Dual parking zones. If a parcel is partially located within Parking Zone A, then the use(s) located on the entire parcel shall observe the Parking Zone A parking ratios. Specifically exempted from this requirement are parcels located within the Regional Center—East zoning district. In the cases in the Regional Center—East zoning district where parcels are bisected by the boundary of Parking Zones A and B, the applicable maximum parking ratios may be averaged, and that average may be applied over the whole parcel. [ORD 4107; May 2000]

60.30.10.2.A.

5. Regional Center Parking Districts 1, 2, 3, 4, and 5. Located within the boundary of the Regional Center are five (5) parking districts. Within these five districts, the parking requirements of Section 60.30.10.5.A. do not apply. The required number of parking spaces for Regional Center Parking Zones 1, 2, 3, 4, and 5 shall be governed by Section 60.30.10.6. [ORD 4471; February 2008] [ORD 4584; June 2012] [ORD 4686; July 2016]
- B. Bicycle Categories. The required minimum number of short-term and long-term bicycle parking spaces for each land use is listed in Section 60.30.10.5.
 1. Short-Term parking. Short-term bicycle parking spaces accommodate persons that can be expected to depart within two hours. Short-term bicycle parking is encouraged to be located on site within 50 feet of a primary entrance, or if there are site, setback, building design, or other constraints, bicycle parking shall be located no more than 100 feet from a primary entrance in the closest available area to the primary entrance as determined by the decision-making authority.
 2. Long-Term parking. Long-term bicycle parking spaces accommodate persons that can be expected to leave their bicycle parked longer than two hours. Cover or shelter for long-term bicycle parking shall be provided. School buildings are exempted from the requirement to cover long-term bicycle parking.
 3. Bicycle parking shall be designed, covered, located, and lighted to the standards of the Engineering Design Manual and Standard Drawings. [ORD 4302, June 2004]
 4. Bicycle parking in the Old Town Parking Zones 1 and 2 shall be governed by the bicycle parking requirements listed in Section 60.30.10.5. [ORD 4471; February 2008]
3. **Ratios.** In calculating the required number of vehicle and bicycle parking spaces, fractions equal to or more than 0.5 shall be rounded up to the nearest whole number. In calculating the required number of vehicle and bicycle parking spaces, fractions less than 0.5 shall be rounded down to the nearest whole number. [ORD 3965; November 1996]

60.30.10.

4. **Uses Not Listed.** For uses not specifically mentioned in this section, the requirements for off-street parking facilities for vehicles and bicycles shall be determined with a Parking Requirement Determination (Section 40.55.1.). [ORD 4224; August 2002]
5. **Parking Tables.** The following tables list the required minimum and maximum vehicle (Table 60.30.10.5.A) and bicycle parking requirements (Table 60.30.10.5.B) for listed land use types. The vehicle parking table excludes uses located in Regional Center zoning districts (See Table 60.30.10.6). [ORD 4584; June 2012] [ORD 4782; April 2020]

60.30.10.5.A.

Table 60.30.10.5.A - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES
(Excludes uses in Regional Center zoning districts - See Table 60.30.10.6)

| Land Use Category | Required Parking Spaces | | Maximum Permitted Parking Spaces | |
|---|-------------------------|-----------------|----------------------------------|--------|
| | Multiple Use Zones | All Other Zones | Zone A | Zone B |
| Residential Uses | | | | |
| Detached dwellings (per unit) | 1.0 | 1.0 | n/a | n/a |
| Attached dwellings | | | | |
| One bedroom (per unit) | 1.0 | 1.25 | 1.8 | 1.8 |
| Two bedrooms (per unit) | 1.0 | 1.50 | 2.0 | 2.0 |
| Three or more bedrooms (per unit) | 1.0 | 1.75 | 2.0 | 2.0 |
| Dwellings, Live/Work (per unit) | 1.25 | 1.25 | 1.8 | 1.8 |
| Dwelling, Accessory Unit | N/A | N/A | 1.8 | 1.8 |
| Mobile Homes (per unit) | 1.0 | 1.0 | 2.0 | 2.0 |
| Residential Care Facilities (per bed, maximum capacity) | 0.25 | 0.5 | 0.5 | 0.5 |
| Rooming, Boarding, or Lodging Houses (per guest room) | 1.0 | 1.0 | 1.25 | 1.5 |
| Commercial Amusements | | | | |
| Arena / Stadium (per seat, maximum occupancy) | n/a | n/a | 0.25 | 0.25 |
| Movie Theaters (per seat, maximum occupancy) | 0.3 | 0.3 | 0.4 | 0.5 |
| Sports Clubs / Recreational Facilities | 4.3 | 4.3 | 5.4 | 6.5 |
| Tennis / Racquetball Courts | 1.0 | 1.0 | 1.3 | 1.5 |
| Institutions | | | | |
| Hospital (per bed) | 2.0 | 2.0 | 3.0 | 4.0 |
| Public Buildings or other Structures | 2.7 | 2.7 | 3.4 | 4.1 |
| Welfare or Correctional Institution (per bed) | 0.3 | 0.3 | 0.5 | 0.75 |
| Fire Station | 1.0 | 1.0 | 2.0 | 2.0 |

[ORD 4107; May 2000] [ORD 4224; August 2002] [ORD 4462; January 2008]

[ORD 4584; June 2012] [ORD 4653; June 2015] [ORD 4782; April 2020]

- Notes: 1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
3. Refer to Section 60.30.10.10. for exceptions.
4. In calculating the required number of vehicle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.

60.30.10.5.A.

Table 60.30.10.5.A - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES
(Excludes uses in Regional Center zoning districts - See Table 60.30.10.6)

| Land Use Category | Required Parking Spaces | | Maximum Permitted Parking Spaces | |
|--|-------------------------|-----------------|----------------------------------|--------|
| | Multiple Use Zones | All Other Zones | Zone A | Zone B |
| Commercial Uses | | | | |
| Retail, including shopping centers | 3.0 | 3.3 | 5.1 | 6.2 |
| Offices, Administrative Facilities | 2.7 | 2.7 | 3.4 | 4.1 |
| Bank, Financial Institutions | 3.0 | 3.3 | 5.4 | 6.5 |
| Service Businesses | 3.0 | 3.0 | 5.1 | 6.2 |
| Rental Businesses, including vehicle and trailer rental | 2.7 | 3.3 | 3.5 | 4.1 |
| Medical, Dental Clinics | 3.9 | 3.9 | 4.9 | 5.9 |
| Mortuaries (per seat, maximum occupancy) | 0.25 | 0.25 | 0.5 | 0.75 |
| Eating, Drinking Establishments | | | | |
| Fast Food with drive-through service in the RC-TO, SC-MU, and SC-HDR zones. | 5.0 | n/a | 12.4 | 14.9 |
| Fast Food with drive-through service in all other zones. | 10.0 | 10.0 | 12.4 | 14.9 |
| Other eating, drinking establishments in the RC-TO, SC-MU, and SC-HDR zones. | 5.0 | n/a | 19.1 | 23.0 |
| Other eating, drinking establishments in all other zones. | 10.0 | 10.0 | 19.1 | 23.0 |
| Temporary Living Quarters (per guest room) | 1.0 | 1.0 | 1.25 | 1.5 |

[ORD 4107; May 2000] [ORD 4584; June 2012]

- Notes: 1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
3. Refer to Section 60.30.10.10. for exceptions.
4. In calculating the required number of vehicle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.

60.30.10.5.A.

Table 60.30.10.5.B - PARKING RATIO REQUIREMENTS FOR BICYCLES

| Land Use Category | Required Parking Spaces | | Maximum Permitted Parking Spaces | |
|---|-------------------------|-----------------|----------------------------------|--------|
| | Multiple Use Zones | All Other Zones | Zone A | Zone B |
| Places of Assembly | | | | |
| Places of Worship (per seat at maximum occupancy) | 0.25 | 0.25 | 0.6 | 0.8 |
| Auditoria, meeting facilities; Social or Fraternal Organizations (per seat, maximum occupancy) | 0.25 | 0.25 | 0.5 | 0.5 |
| Educational Institutions: College, University, High School, Commercial School (spaces / number of FTE students and FTE staff) | 0.2 | 0.2 | 0.3 | 0.3 |
| Educational Institutions: Middle School, Elementary School (spaces / number of FTE staff) | 1.0 | 1.0 | 1.5 | 1.5 |
| Nursery Schools, Day or Child Care Facilities (spaces / number of FTE staff) | 0.8 | 1.5 | 2.0 | 2.0 |
| Library, museum, art gallery | 2.5 | 2.5 | 4.0 | 6.0 |
| Park and Ride facilities | n/a | n/a | n/a | n/a |
| Transit Centers | n/a | n/a | n/a | n/a |
| Industrial | | | | |
| Manufacturing | 1.6 | 1.6 | 2.0 | 2.0 |
| Storage warehouse, wholesale establishment, rail or trucking terminal, vehicle or trailer storage. | 0.3 | 0.3 | 0.4 | 0.5 |
| Limited Industrial | | | | |
| Research Facilities | 2.5 | 2.5 | 3.4 | 3.4 |

[ORD 4107; May 2000] [ORD 4224; August 2002] [ORD 4584; June 2012]

- Notes:
1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
 2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
 3. Refer to Section 60.30.10.10. for exceptions.
 4. In calculating the required number of vehicle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.

60.30.10.5.B.

Table 60.30.10.5.B - PARKING RATIO REQUIREMENTS FOR BICYCLES

| Land Use Category | Minimum Required Bicycle Parking Spaces | |
|--|--|---|
| | Short Term | Long Term |
| Residential Uses | | |
| Detached dwellings | Not required | Not required |
| Single family attached dwellings | Not required | Not required |
| Multi dwelling structure containing 4 or more dwelling units | 2 spaces or 1 space per 20 dwelling units | 1 space per dwelling unit |
| Residential Care Facilities (based upon maximum capacity) | 1 space per 100 beds | 1 space per 50 beds |
| Rooming, Boarding, or Lodging Houses (per guest room) | Not required | 1 space for every 10 guest rooms |
| Commercial Amusements | | |
| Arena / Stadium / Theater | 2 spaces or 1 space per 200 seats | 2 spaces or 1 space per 1,000 seats |
| Bowling Alley | 1 space per 4,000 sq. ft. of floor area | 1 space per 4,000 sq. ft. of floor area |
| Dance Hall, Skating Rink | 1 space per 500 sq. ft. of floor area | 1 space per 4,000 sq. ft. of floor area |

[ORD 4224; August 2002] [ORD 4584; June 2012] [ORD 4659; June 2015]

- Notes:
1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
 2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
 3. In calculating the required number of bicycle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.
 4. Where an option is provided under bicycle parking, whichever standard results in the greater number of bicycle parking spaces is the minimum number required. "Not required" means that the provision of bicycle parking is at the option of the property owner.

60.30.10.5.B.

Table 60.30.10.5.B - PARKING RATIO REQUIREMENTS FOR BICYCLES

| Land Use Category | Minimum Required Bicycle Parking Spaces | |
|--|---|---|
| | Short Term | Long Term |
| Commercial Amusements - continued | | |
| Recreational Facility | 2 spaces, or spaces to meet the combined requirements of the uses being conducted | 2 spaces, or spaces to meet the combined requirements of the uses being conducted |
| Commercial Uses | | |
| Retail, including shopping centers | 2 spaces or 1 space per 12,000 sq. ft. of floor area | 2 spaces or 1 space per 12,000 sq. ft. of floor area |
| Offices, Administrative Facilities | 2 spaces or 1 space per 8,000 sq. ft. of floor area | 2 spaces or 1 space per 8,000 sq. ft. of floor area |
| Bank, Financial Institutions | 2 spaces or 1 space per 8,000 sq. ft. of floor area | 2 spaces or 1 space per 8,000 sq. ft. of floor area |
| Medical, Dental Clinics | 2 spaces or 1 space per 20,000 sq. ft. of floor area | 2 spaces or 1 space per 10,000 sq. ft. of floor area |

[ORD 4584; June 2012]

- Notes:
1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
 2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
 3. In calculating the required number of bicycle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.
 4. Where an option is provided under bicycle parking, whichever standard results in the greater number of bicycle parking spaces is the minimum number required. "Not required" means that the provision of bicycle parking is at the option of the property owner.

60.30.10.5.B.

Table 60.30.10.5.B - PARKING RATIO REQUIREMENTS FOR BICYCLES

| Land Use Category | Minimum Required Bicycle Parking Spaces | |
|---------------------------------------|---|---|
| | Short Term | Long Term |
| Commercial Uses - continued | | |
| Eating, Drinking Establishments | 2 spaces or 1 space per 4,000 sq. ft. of floor area | 2 spaces or 1 space per 4,000 sq. ft. of floor area |
| Mortuaries | Not required | 1 space |
| Automotive Service, Minor | 2 spaces or 1 space per 5,000 sq. ft. of floor area | 2 spaces or 1 space per 5,000 sq. ft. of floor area |
| Truck, trailer, and automobile rental | Not required | 2 spaces |
| Temporary Living Quarters | Not required | 1 space per 50 guest units |
| Places of Assembly | | |
| Auditoria, meeting facilities | 1 space per 10,000 sq. ft. of floor area | 2 spaces |
| Places of Worship | 1 space per 10,000 sq. ft. of floor area | 2 spaces |
| Social or Fraternal Organizations | 2 spaces, or spaces to meet the combined requirements of the uses being conducted | 2 spaces, or spaces to meet the combined requirements of the uses being conducted |

[ORD 4584; June 2012]

- Notes:
1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
 2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
 3. In calculating the required number of bicycle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.
 4. Where an option is provided under bicycle parking, whichever standard results in the greater number of bicycle parking spaces is the minimum number required. "Not required" means that the provision of bicycle parking is at the option of the property owner.

60.30.10.5.B.

Table 60.30.10.5.B - PARKING RATIO REQUIREMENTS FOR BICYCLES

| Land Use Category | | Minimum Required Bicycle Parking Spaces | |
|---------------------------------------|--|---|--|
| | | Short Term | Long Term |
| Places of Assembly - continued | | | |
| | Educational Institutions: College, University, Commercial School | Not required | 4 spaces per classroom |
| | Educational Institutions: High School | Not required | 1 space per 18 students |
| | Educational Institutions: Middle School, Elementary School | Not required | 1 space per 9 students |
| | Nursery Schools, Day or Child Care Facilities | Not required | 1 space per classroom |
| | Library, museum, art gallery | 1 space per 2,500 sq. ft. of floor area | 1 space per 10,000 sq. ft. of floor area |
| | Park and Ride facilities | Not required | 5% of auto spaces |
| | Transit Centers | | |
| | Bus | Not required | 2 spaces per bus bay |
| | Light Rail (per station) | Not required | 10 spaces |
| Institutions | | | |
| | Hospital | 1 space per 100 beds | 1 space per 50 beds |
| | Welfare or Correctional Institution | 1 space per 100 beds | 1 space per 50 beds |

- Notes:
1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
 2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
 3. In calculating the required number of bicycle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.
 4. Where an option is provided under bicycle parking, whichever standard results in the greater number of bicycle parking spaces is the minimum number required. "Not required" means that the provision of bicycle parking is at the option of the property owner.

60.30.10.5.B.

Table 60.30.10.5.B - PARKING RATIO REQUIREMENTS FOR BICYCLES

| Land Use Category | | Minimum Required Bicycle Parking Spaces | |
|-------------------|--|---|---|
| | | Short Term | Long Term |
| Industrial | | | |
| | Manufacturing | Not required | 2 spaces, or 1 space per 20,000 sq. ft. of floor area |
| | Storage warehouse, wholesale establishment, rail or trucking terminal, vehicle or trailer storage. | Not required | 2 spaces, or 1 space per 80,000 sq. ft. of floor area |

- Notes:
1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
 2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
 3. In calculating the required number of bicycle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.
 4. Where an option is provided under bicycle parking, whichever standard results in the greater number of bicycle parking spaces is the minimum number required. "Not required" means that the provision of bicycle parking is at the option of the property owner.

60.30.10.

- 6. Regional Center Parking Tables.** The following tables list the required minimum and maximum vehicle parking requirements for land use types in the Regional Center. Within the boundary of the Regional Center—Old Town (RC-OT), Regional Center—Transit-Oriented (RC-TO), and Regional Center—East (RC-E) are five (5) parking districts. [ORD 4584; June 2012] [ORD 4686; July 2016]

Table 60.30.10.6 - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES
IN THE REGIONAL CENTER

| Land Use Category | | Required Parking Spaces | | | Maximum Permitted Parking Spaces | |
|------------------------------|---|-------------------------------|--------------------|--------------------|----------------------------------|--------|
| | | Parking Districts 1, 2, and 3 | Parking District 4 | Parking District 5 | Zone A | Zone B |
| Residential Uses | | | | | | |
| | Detached dwellings (per unit) | .75 | 1.0 | 1.0 | n/a | n/a |
| | Attached dwellings | | | | | |
| | One bedroom (per unit) | .75 | 1.0 | 1.0 | 1.8 | 1.8 |
| | Two bedrooms (per unit) | .75 | 1.0 | 1.0 | 2.0 | 2.0 |
| | Three or more bedrooms (per unit) | .75 | 1.0 | 1.0 | 2.0 | 2.0 |
| | Dwellings, Live/Work (per unit) | .75 | 1.25 | 1.25 | 1.8 | 1.8 |
| | Dwelling, Accessory Unit | N/A | N/A | N/A | 1.8 | 1.8 |
| | Residential Care Facilities (per bed, maximum capacity) | 0.25 | 0.25 | 0.25 | 0.5 | 0.5 |
| | Rooming, Boarding, or Lodging Houses (per guest room) | 0 | 1.0 | 1.0 | 1.25 | 1.5 |
| Commercial Amusements | | | | | | |
| | Arena / Stadium (per seat, maximum occupancy) | 0 | n/a | n/a | 0.25 | 0.25 |
| | Movie Theaters (per seat, maximum occupancy) | 0 | 0.3 | 0.3 | 0.4 | 0.5 |
| | Sports Clubs / Recreational Facilities | 0 | 4.3 | 4.3 | 5.4 | 6.5 |
| | Tennis / Racquetball Courts | 0 | 1.0 | 1.0 | 1.3 | 1.5 |
| Institutions | | | | | | |
| | Hospital (per bed) | 2.0 | 2.0 | 2.0 | 3.0 | 4.0 |
| | Public Buildings or other Structures | 2.7 | 2.7 | 2.7 | 3.4 | 4.1 |
| | Welfare or Correctional Institution (per bed) | 0.3 | 0.3 | 0.3 | 0.5 | 0.75 |

Notes: Those notes identified in Section 60.30.10.5.A. shall apply to Section 60.30.10.6.
[ORD 4584; June 2012] [ORD 4686; July 2016] [ORD 4782; April 2020]

60.30.10.6.

Table 60.30.10.6 - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES
IN THE REGIONAL CENTER

| Land Use Category | | Required Parking Spaces | | | Maximum Permitted Parking Spaces | |
|---------------------------|---|-------------------------------|--------------------|--------------------|----------------------------------|--------|
| | | Parking Districts 1, 2, and 3 | Parking District 4 | Parking District 5 | Zone A | Zone B |
| Commercial Uses | | | | | | |
| | Retail, including shopping centers | 0 | 3.0 | 3.0 | 5.1 | 6.2 |
| | Offices, Administrative Facilities | 0 | 2.7 | 2.7 | 3.4 | 4.1 |
| | Bank, Financial Institutions | 0 | 3.0 | 3.0 | 5.4 | 6.5 |
| | Service Businesses | 0 | 3.0 | 3.0 | 5.1 | 6.2 |
| | Rental Businesses, including vehicle and trailer rental | 0 | 2.7 | 2.7 | 3.5 | 4.1 |
| | Medical, Dental Clinics | 0 | 3.9 | 3.9 | 4.9 | 5.9 |
| | Mortuaries (per seat, maximum occupancy) | 0 | 0.25 | 0.25 | 0.5 | 0.75 |
| | Eating, Drinking Establishments | | | | | |
| | Fast Food with drive-through service. | 0 | 5.0 | 10.0 | 12.4 | 14.9 |
| | Other eating, drinking establishments. | 0 | 5.0 | 10.0 | 19.1 | 23.0 |
| | Temporary Living Quarters (per guest room) | 0 | 1.0 | 1.0 | 1.25 | 1.5 |
| Places of Assembly | | | | | | |
| | Places of Worship (per seat at maximum occupancy) | 0.25 | 0.25 | 0.25 | 0.6 | 0.8 |
| | Auditoria, meeting facilities; Social or Fraternal Organizations (per seat, maximum occupancy) | 0.25 | 0.25 | 0.25 | 0.5 | 0.5 |
| | Educational Institutions: College, University, High School, Commercial School (spaces / number of FTE students and FTE staff) | 0.2 | 0.2 | 0.2 | 0.3 | 0.3 |
| | Educational Institutions: Middle School, Elementary School (spaces / number of FTE staff) | 1.0 | 1.0 | 1.0 | 1.5 | 1.5 |
| | Nursery Schools, Day or Child Care Facilities (spaces / number of FTE staff) | 0.8 | 0.8 | 0.8 | 2.0 | 2.0 |

SPECIAL REQUIREMENTS

Off-Street Parking

| Land Use Category | Required Parking Spaces | | | Maximum Permitted Parking Spaces | |
|-----------------------------------|-------------------------------|--------------------|--------------------|----------------------------------|--------|
| | Parking Districts 1, 2, and 3 | Parking District 4 | Parking District 5 | Zone A | Zone B |
| Places of Assembly (cont.) | | | | | |
| Library, museum, art gallery | 2.5 | 2.5 | 2.5 | 4.0 | 6.0 |
| Park and Ride facilities | n/a | n/a | n/a | n/a | n/a |
| Transit Centers | n/a | n/a | n/a | n/a | n/a |
| Industrial | | | | | |
| Manufacturing | 1.6 | 1.6 | 1.6 | 2.0 | 2.0 |
| Limited Industrial | | | | | |
| Research Facilities | 2.5 | 2.5 | 2.5 | 3.4 | 3.4 |

Notes: Those notes identified in Section 60.30.10.5.A. shall apply to Section 60.30.10.6. [ORD 4584; June 2012]
[ORD 4471; February 2008] [ORD 4498; January 2009] [ORD 4584; June 2012]
[ORD 4686; July 2016]

Off-Street Parking

A map of Beaverton Hills divided into five numbered regions (1-5) by thick black lines. The map shows a network of streets including Center, Westgate, Main, Millikan, Beaverdam, Canyon, Farmington, Broadway, Lucker, and Beaverton-Hillsdale Hwy. Region 1 is a small area in the south. Region 2 is a grid-like area in the southwest. Region 3 is a large area in the northwest. Region 4 is a large area in the north. Region 5 is a large area in the east. The map also shows a river (Greenish) and a highway (HWY 217) on the right side.

60.30.10.

7. **Exceeding Parking Ratios.** More parking spaces for motor vehicle and bicycle parking may be required as a condition of a Conditional Use. Variation from the specified minimum or maximum number of required motor vehicle and bicycle parking spaces may be approved by the City subject to Section 40.10.15.2. (Major Adjustment) of this Code. However, if surplus parking is located in a parking structure, the parking ratios may be exceeded without requiring an approval of a Major Adjustment for parking.

Any surplus parking may be designed to any of the City standards for off-street parking lot design. The Facilities Review Committee may recommend approval of parallel parking spaces or other non-standard designs for surplus parking in any zone. [ORD 4224; August 2002] [ORD 4498; January 2009] [ORD 4659; June 2015]

8. **Residential Parking Dimensions.** For all residential uses, any required parking space shall not be less than 8 1/2 feet wide and 18 1/2 feet long. (See also Section 60.30.15. (Off-Street Parking Lot Design) for other standards.) [ORD 4312; July 2004]

9. **Parking Space Calculation.**

- A. Multiple Uses. In the case of multiple uses, the total requirements for off-street vehicle and bicycle parking facilities shall be the sum of the requirements for the various uses computed separately.
- B. Spaces which only meet the requirements of one establishment may serve more than one establishment on the same parking lot, provided that sufficient evidence is presented which shows that the times of peak parking demand for the various establishments do not coincide, and that adequate parking will be available at all times when the various establishments are in operation.

60.30.10.

10. Location of Vehicle Parking.

- A. All required off-street parking spaces shall be provided on the same property as the use requiring the spaces, with the following exceptions:
 - 1. By approving a Parking Determination application for Shared Parking, the decision making authority may permit the required off-street parking spaces in Residential, Commercial, and Industrial zoning districts to be located on any property within 500 feet of the property where the use requiring the parking is located: and, in Multiple Use zoning districts, on any lot within any distance. [ORD 4107; May 2000] [ORD 4224; August 2002] [ORD 4462; January 2008] [ORD 4706; May 2017] [ORD 4757; March 2019]
 - 2. By approving a Temporary Displaced Parking application, the decision making authority may permit parking displaced by development to be located off site temporarily, in accordance with the provisions of Section 40.80.15.5. [ORD 4757; March 2019]
- B. Except for single-family and duplex dwellings, groups of more than two parking spaces shall be so located and served by an access that their use will require no backing movements or other maneuvering within a street or right-of-way other than an alley.
- C. In R10, R7, R5 and R4 zones parking and loading spaces may be located in side and rear yards and may be located in the front yard of each dwelling unit only if located in the driveway area leading to its garage. [ORD 4584; June 2012]
- D. Parking in the front yard is allowed for each dwelling unit in the driveway area leading to its garage. Also, one additional space shall be allowed in that area in front of the required side yard and closest to the driveway subject to the following conditions:
 - 2. The owner of the lot upon which the space is sought shall enter into a written agreement allowing the space with the owner of the property on that side closest to the proposed additional space. This agreement shall be binding on the successors in interest to the property of both parties and

60.30.10.10

shall be recorded with the Washington County Department of Records and Elections.

2. Notwithstanding the agreement of the property owners, the additional space shall not be allowed if it creates a traffic sight obstruction.
3. The additional space shall be hard surfaced.

11. Reductions and Exceptions. [ORD 3358; March 1984] Reductions and exceptions to the required vehicle and bicycle parking standards as listed in Sections 60.30.10.5. and 60.30.10.6. may be granted in the following specific cases: [ORD 4471; February 2008] [ORD 4584; June 2012]

A. Vehicle Parking Reduction for Transit Amenities. [ORD 3965; November 1996] Any existing use or proposed use on an existing transit route may apply for and the City may reduce the number of required vehicle parking spaces by either five percent or ten percent through provision of a pedestrian plaza. The property owner shall initiate the request for parking space reduction through the City application process.

1. A five percent (5%) credit may be approved if: [ORD 4584; June 2012]
 - a. The pedestrian plaza is adjacent to a transit route with transit service currently available and is within 1/4 mile of a major transit stop on that route. If there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop,
 - b. The pedestrian plaza is open to the public,
 - c. The pedestrian plaza is at least 200 square feet exclusive of connecting walkways,
 - d. A bench, landscaping and trash receptacle is provided as part of the pedestrian plaza. (Landscaping shall not exceed 50 percent of the total area.), and

60.30.10.11.A.1.

- e. The property owner provides a parking analysis demonstrating to the City's satisfaction that the vehicle parking demand for the existing or proposed use will be met with the reduction in place.
- 2. A ten percent (10%) credit may be approved if:
[ORD 4584; June 2012]
 - a. The pedestrian plaza is adjacent to a transit route with transit service currently available and is within 1/4 mile of a major transit stop on that route. If there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop,
 - b. The pedestrian plaza is open to the public,
 - c. The pedestrian plaza is at least 300 square feet exclusive of connecting walkways,
 - d. A transit shelter (if required by Tri-Met and the City), landscaping and trash receptacle is provided as part of the pedestrian plaza. (Landscaping shall not exceed 50 percent of the total area.), and
 - e. The property owner provides a parking analysis demonstrating to the City's satisfaction that the vehicle parking demand for the existing or proposed use will be met with the reduction in place.
- 3. Provision of pedestrian plazas shall be coordinated with Tri-Met through the City's application process and shall be constructed to Tri-Met and City standards.

B. Reduction for Transportation Management Association Participation. [ORD 4107; May 2000] The minimum number of off-street parking spaces may be reduced by as much as ten percent (10%), if the applicant agrees to participate in a Transportation Management Association program approved by the City for the area within which the project is located. [ORD 4584; June 2012]

60.30.10.11.

C. Reduction for Combination of Uses with Shared Parking.

[ORD 4107; May 2000] The minimum number of off-street parking spaces may be reduced by as much as thirty percent (30%) subject to all of the following: [ORD 4584; June 2012]

1. The combination of uses will permit shared parking sufficient to justify a reduction in the parking standard and the design of the site and parking, and conditions of operation of parking agreed to by the applicant, will promote parking patterns and parking use consistent with the permitted reduction;
2. The probable long-term occupancy of the building or use, based upon its design, will not generate additional parking demand; and
3. The applicant agrees to participate in a Transportation Management Association approved by the City for the subarea within which the project is located.

D. Reduction for Special Needs Residential. The Director may, upon request, allow a reduction in the number of required off-street vehicle and bicycle parking spaces in housing developments for elderly or handicapped persons if such reduction is deemed appropriate after analysis of the size and location of the development, resident auto ownership, number of employees, possible future conversion to other residential uses and other similar relevant factors. [ORD 3108; April 1979] [ORD 4584; June 2012]

[ORD 4584; June 2012]

60.30.10.11.

- E. Reduction for Substitution of Bicycle Parking. For uses located within a 1/4 mile radius of a transit stop, as measured from any portion of a parcel to the centerline of the nearest adjacent public right of way or the center of the station platform, the provision of bicycle parking may be used to reduce minimum vehicle parking requirements at a rate of two long-term bicycle parking spaces per vehicle space, but not more than five percent (5%) of the total number of required vehicle parking spaces. The property owner shall provide a parking analysis demonstrating that the vehicle parking demand will be met with the reduced number of vehicle spaces. Bicycle parking used to reduce vehicle parking spaces shall be covered long-term bicycle parking consistent with the Engineering Design Manual and Standard Drawings. [ORD 4365; October 2005] [ORD 4584; June 2012]
- F. Exemption for Temporary Uses. Temporary uses authorized by this Code are exempt from bicycle parking requirements. [ORD 4584; June 2012]

12. Compact Cars. Compact car parking spaces may be allowed as follows:

- A. For residential uses, required vehicle parking spaces shall be provided at standard size pursuant to Section 60.30.10.8. Parking in excess of the required parking may be provided as compact parking subject to Section 60.30.10.7. [ORD 4471; February 2008]
- B. For uses other than residential uses, twenty percent (20%) of the required vehicle parking spaces for long term or designated employee parking lots may be compact spaces. The Facilities Review Committee may recommend allowing more than twenty percent (20%) of the required parking spaces to be used for compact car parking when the applicant shows that more compact car spaces are appropriate. [ORD 4224; August 2002]
- C. The Facilities Review Committee may recommend allowing the required parking spaces for short term parking to include spaces for compact cars if the applicant shows that there will be adequate parking for non-compact cars and a method of enforcing the compact car parking is available. [ORD 4224; August 2002]

60.30.10.12.

- D. Compact car parking spaces shall be generally grouped together and designated as such. [ORD 3228; December 1981]

13. Carpool and Vanpool Parking Requirements. [ORD 3965; November 1996]

- A. In industrial, institution, and office developments, including government offices, with 50 or more employee parking spaces, at least three percent of the employee parking spaces shall be designated for carpool and/or vanpool parking. For the purposes of this section, carpool is defined as two or more persons per car, and vanpool is defined as five or more persons per van. The carpool/vanpool spaces shall be clearly marked and signed for reserved carpool and/or vanpool parking. The reserved carpool/vanpool parking time may be specified so that the reserved spaces may be used for general parking if the reserved spaces are not occupied after a specific time period, which shall be clearly posted on the sign.
- B. Location. Designated carpool/vanpool spaces shall be the closest employee motor vehicle parking spaces to the building entrance normally used by employees, except for the motor vehicle parking spaces designated for persons with disabilities, which shall be the closest to the building entrance. [ORD 4107; May 2000] [ORD 4302, June 2004]

60.30.15. Off-Street Parking Lot Design. All off-street parking lots shall be designed in accordance with City Standards for stalls and aisles as set forth in the following drawings and tables:

| | | |
|---|---|-----------------------------------|
| A | = | Parking Angle |
| B | = | Stall Width |
| C | = | Stall Depth (no bumper overhang) |
| D | = | Aisle Width |
| E | = | Stall Width (parallel to aisle) |
| F | = | Module Width (no bumper overhang) |
| G | = | Bumper Overhang |
| H | = | Backing Area |
| I | = | Module Intermesh |

NOTE:

- 1) For one (1) row of stalls use "C" plus "D" as minimum bay width.
- 2) Public alley width may be included as part of dimension "D", but all parking stalls must be on private property, off the public right-of-way.
- 3) For estimating available parking area, use 350 sq. ft. per vehicle for stall, aisle and access areas.
- 4) The stall width for self-parking of long duration is 8.5 feet; for higher turnover self-parking is 9.0 feet; and for supermarkets and similar facilities (shoppers and packages) is 9.5-10 feet.
- 5) The minimum aisle width for two-way traffic and for emergency vehicle operations area is 24 feet. The minimum aisle width for emergency vehicle access (one way traffic) is 20 feet.
- 6) Where appropriate, bumper overhang area is provided (extruded curbs), "G" can be subtracted from "C" to determine stall depth. Dimensions of required recreational vehicle spaces are 10 feet by 25 feet.
- 7) Parking lots in conjunction with government and public buildings, as defined by Chapter 11 of the International Building Code, are to include parking for the handicapped as required in that chapter. These special spaces may be included within the total spaces required. [ORD 3494; March 1986] [ORD 4365; October 2005]

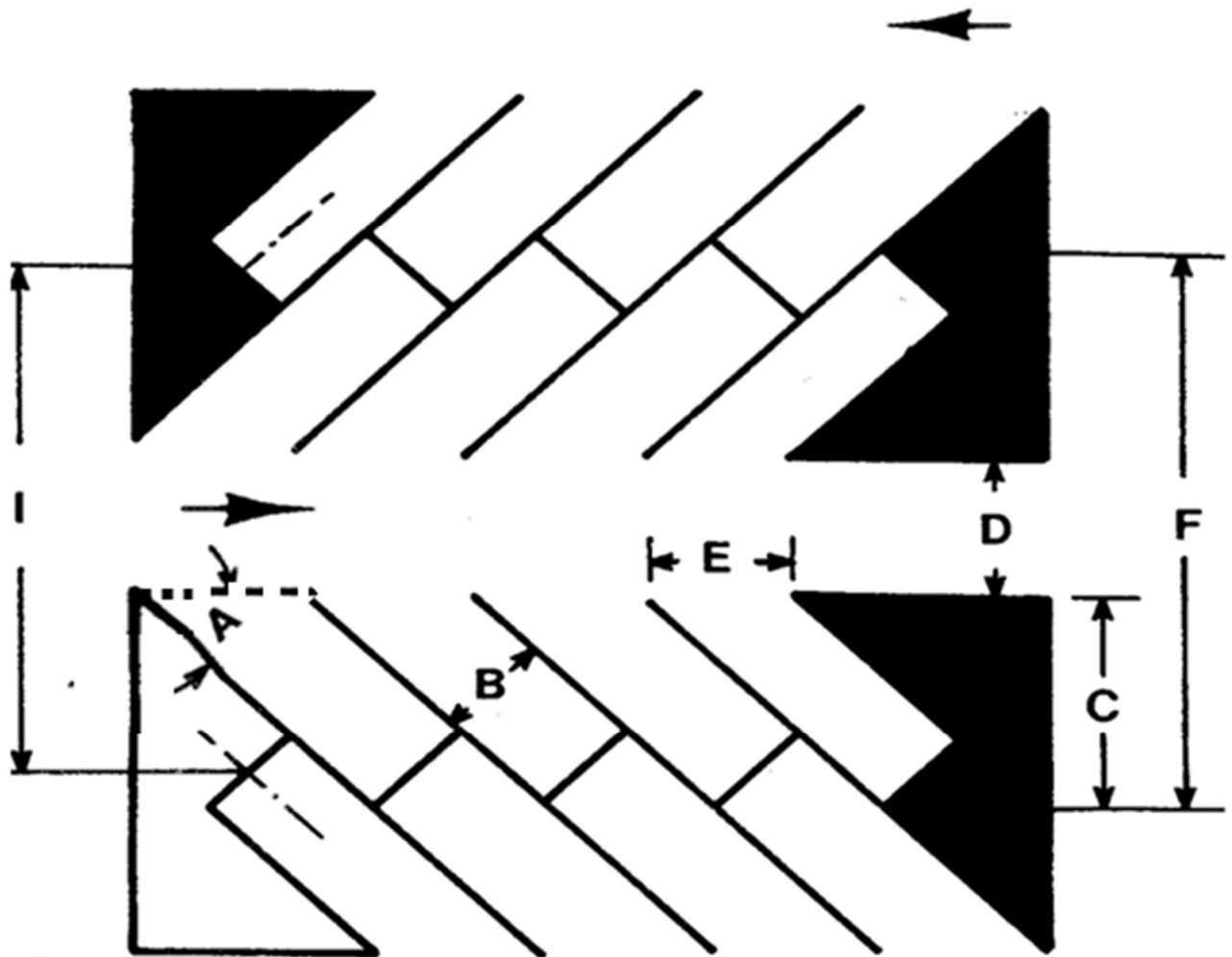
[ORD 4697; December 2012]

SPECIAL REQUIREMENTS

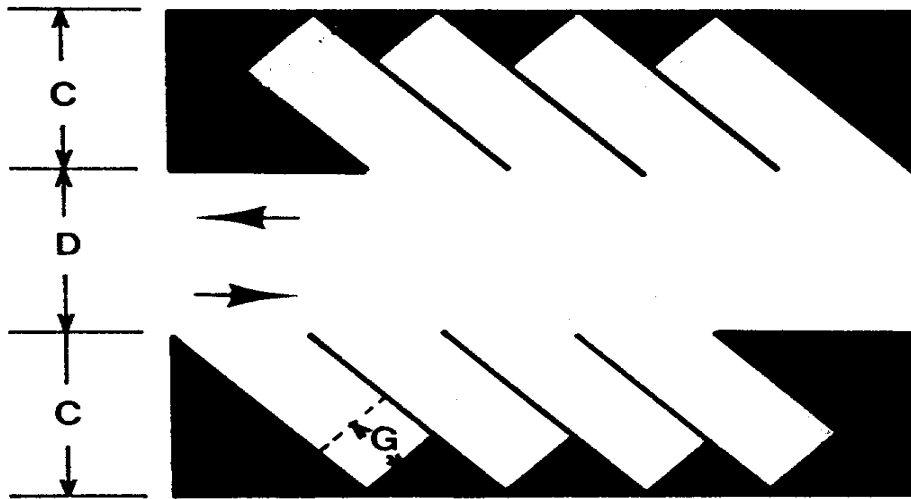
Off-Street Parking

| A | B | C | D | E | F | G | H | I |
|-------------|-----|------|------|------|------|-----|-----|------|
| 45 degrees | 8.5 | 18.7 | 12.0 | 12.0 | 49.4 | 2.0 | 5.0 | 43.4 |
| 60 degrees | 8.5 | 19.8 | 14.5 | 9.8 | 54.1 | 2.5 | 5.0 | 49.9 |
| 75 degrees | 8.5 | 19.6 | 23.0 | 8.8 | 62.2 | 2.5 | 5.0 | 60.0 |
| 90 degrees | 8.5 | 18.5 | 24.0 | 8.5 | 61.0 | 3.0 | 5.0 | 61.0 |
| 90 degrees* | 7.5 | 15.0 | 24.0 | 7.5 | 58.0 | 2.0 | 5.0 | 58.0 |

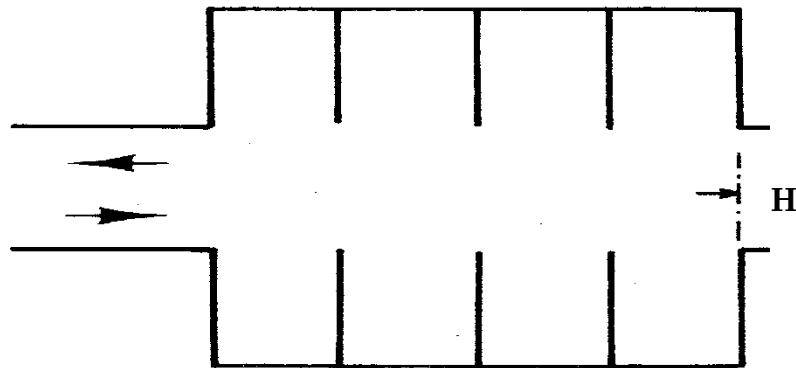
*"Compact" Car (Section 60.30.10.12.)



[ORD 4584; June 2012]



ANGLE TWO-WAY



90° DEAD END TWO-WAY

- 60.30.20. Off-Street Parking Lot Construction.** Every parcel of land hereafter developed for use as a parking area shall conform to the requirements of the *Engineering Design Manual and Standard Drawings*. [ORD 3293; November 1982] [ORD 4302, June 2004] [ORD 4332; January 2005]
- 60.30.25. Enforcement.** The Director is authorized to suspend any permit if the usage of parking by the original use or temporary use or both increases beyond the capacity of the on-site parking or that the use is causing a nuisance to the public or surrounding properties. The Director shall notify the applicant of the Director's intent to suspend the permit and shall provide an opportunity for a hearing prior to suspension. However, in any case where the Director, or any Code Enforcement Officer designated by the Mayor, finds a serious danger to the public health or safety, the Director or Code Enforcement Officer may suspend the permit without a hearing. Upon suspension of a permit, the Director or Code Enforcement Officer may require that the temporary use or structure vacate the site within five working days or can require the use to discontinue operation. The Director shall notify the applicant of the reasons for the action, and the Director shall afford the applicant the opportunity for a hearing within five days from the date of the suspension. The Director may reinstate a suspended permit upon a showing by the applicant that the cause of the suspension has been corrected. Appeal of any decision of the Director shall be pursuant to Section 50.75. of this Code. [ORD 4224; August 2002]

60.33. PARK AND RECREATION FACILITIES AND SERVICES PROVISION. [ORD 4388; May 2006]

60.33.05. Purpose. The City of Beaverton has declared Tualatin Hills Parks and Recreation District (THPRD) as the parks and recreation provider for the City (Policy 5.8.1.h. of the Comprehensive Plan). Since THPRD is the parks and recreation provider for the City, annexation to the District will generally be required by the City for all new development or redevelopment of properties that are outside THPRD boundaries. The provisions of this Section are designed to:

1. Ensure that all residents of the City of Beaverton have access to high quality recreational facilities and services; and
2. Require all new development to pay its fair share for the park and recreational system that serves Beaverton.

60.33.10. Annexation to THPRD.

Except as provided in Section 60.33.15, the approval of a Conditional Use, Design Review or Land Division application for any property located in the City of Beaverton, and not within THPRD's boundaries, shall be conditional on the submittal of a legally sufficient petition to annex the property to THPRD; issuance of building permits shall be delayed until the annexation is effective. Delay of issuance of building permits until after the annexation is effective may be waived as a condition of approval by the review authority if the applicant agrees in writing to pay the appropriate THPRD Systems Development Charge for all building permits issued prior to the effective date of annexation. [ORD 4584; June 2012]

60.33.15. Waiver of Requirement.

Any proposed development that can document to the City's satisfaction that it will provide park land, recreation facilities and services at a level similar to that provided by THPRD may have the requirements of Section 60.33.10 waived by the City. See Section 40.93.15.

60.35. PLANNED UNIT DEVELOPMENT. [ORD 4430; April 2007]

60.35.05. Purpose. It is the purpose of these provisions to allow a Planned Unit Development (PUD) in any City zoning district. Uses or combinations of uses may be developed as a single, integral, functional unit or entity. The PUD provisions are intended to encourage innovation and creative approaches for developing land while enhancing and preserving the value, character, and integrity of surrounding areas which have developed or are developing under conventional district regulations. This is to be accomplished by using the following development and design principles: [ORD 4584; June 2012]

1. Site design shall use the flexibility afforded by the planned unit development to:
 - A. Provide setbacks and buffering through landscape or building design abutting to existing development;
 - B. Cluster buildings to create open space and protect natural resources;
 - C. Provide for active recreation and passive open space;
 - D. Use resource efficient development and building practices that encourage innovative design techniques and construction practices that use energy saving technology.
2. Site design shall maximize the opportunities for diversified architecture and outdoor living environments that respond to the existing site context by exploring design flexibility for siting structures, open spaces, circulation facilities, off-street parking areas, streetscapes, resource conservation, and creation of other site improvements that facilitate efficient use of land and create a comprehensive development plan which is better than that resulting from traditional subdivision development;
3. Building architecture including detached residential, shall use innovative design that should consider the context of the existing built and natural environment. Buildings shall be architecturally detailed, and of a size and mass that contribute to a pedestrian-friendly streetscape, and respond to the natural features of the site. Cluster housing, such as Courtyard, Patio, or Cottage development, that groups buildings in areas to maximize open space and preserve significant cultural and natural resources is highly encouraged as are the use of sustainable building materials and practices. The orientation of buildings should promote human scaled and pedestrian friendly environments and maximize solar exposure for passive solar gain;

60.35.05.

4. Open space should provide opportunities for active and/or passive recreation that includes preservation of natural and cultural resources. Good site design shall retain and protect special topographic, natural, and environmentally sensitive features and existing Significant Groves and Historical and Individual trees should be retained and protected. Understory and the use of native plant material and sustainable landscape practices are encouraged.

60.35.10. Modification of Base Zoning Standards.

1. Permitted Uses.

- A. The uses in a PUD shall comply with the Permitted and Conditional Use requirements of the zoning district.
- B. Detached and attached dwellings may be allowed in a PUD provided the overall residential density satisfies the applicable residential density provisions of this Code.
- C. In addition to the accessory uses and structures typical in the zoning district in which the PUD is located, accessory uses approved as a part of a PUD may include, but are not limited to the following:
 1. Private or public park, lake or waterway;
 2. Recreation area;
 3. Recreation building, clubhouse or social hall; or
 4. Other accessory uses or structures which the Planning Commission finds are designed to serve primarily the residents of the PUD, and are compatible with the neighborhood and to the design of the PUD.

2. **Density and Lot Dimensions.** Density and building scale shall relate to the surrounding neighborhood development and natural resources by providing massing and architectural compatibility with the surrounding neighborhood. [ORD 4654; March 2015]

60.35.10.2.

A. Density Transfers.

1. A density transfer allows an equal transfer of dwelling units from one portion of the site to another. Density transfers are allowed for the following areas:
 - a. Area within a floodplain;
 - b. Area over twenty-five (25) percent slope;
 - c. Known landslide areas or areas shown to have potential for severe or moderate landslide hazard;
 - d. Area in designated resource areas including: significant tree groves, wetlands, riparian corridors, and their associated buffers;
 - e. Areas constrained by monitoring wells and similar areas dedicated to remediation of contaminated soils or ground water;
 - f. Parks, trails, or both in tracts;
 - g. Areas similar to those in a through f above, as approved by the Planning Commission through the PUD process.

B. Residential Lot Sizes.

1. Minimum lot size may be reduced to 50 percent of the minimum land area of the applicable zoning district(s), except as permitted in 60.35.10.3.B.2.
2. Minimum lot size proposed between 25 percent and 50 percent of the minimum land area of the applicable zoning district, shall meet the applicable Design Standards or Design Guidelines related to Compact Detached Housing in Section 60.05 of the Development Code and is at the discretion of the Planning Commission.

60.35.10.

3. Maximum lot size may not exceed 195 percent of the minimum land area of the applicable zoning district(s) in conformance with the table below unless designated for a future phase, which includes further division of property or development of attached product. When the maximum density for the parent parcel has been achieved or a lot is greater than 195 percent of the base zone, the oversized lot(s) shall include a deed restriction to preclude unintended partitioning or subdividing of such lots in accordance with the requirements of the approved PUD. [ORD 4584; June 2012]

| Zoning | R1 | R2 | R4 | R5 | R7 |
|------------------|---------------|---------------|---------------|---------------|----------------|
| Maximum Lot Size | 1,950 sq. ft. | 3,900 sq. ft. | 7,800 sq. ft. | 9,750 sq. ft. | 13,650 sq. ft. |

4. A proposed Planned Unit Development shall not result in fewer dwelling units (lower density) than if the subject site were reviewed as a Preliminary Subdivision.

3. Setbacks. [ORD 4654; March 2015]

- A. The dimensional standards for the applicable zoning district as listed in Chapter 20 may be modified through approval of a Planned Unit Development, except for the following situations:
 1. For proposed lots abutting the perimeter of the property, the required setbacks shall comply with the standard front and rear setbacks of the parent parcel.
 - a. Where the side yard of the parent parcel abuts existing development the setback for new development shall not be reduced, except by meeting 60.35.10.3.A.1.b below.
 - b. By meeting the Development Bonus and Development Incentive Options in Section 60.35.30 the setbacks of proposed perimeter parcels may be reduced by up to ten (10) percent upon approval of the Planning Commission.

60.35.10.3.A.

2. Where standard modifications would not promote pedestrian or bicycle connection to the street; support storm water management; or meet fire and building codes.

B. Front Setbacks.

The following shall apply to all lots within a proposed residential development(s); except lots proposed along the perimeter of the subject site, which shall be consistent with Section 60.35.10.3.A.1.

1. Front setbacks for a residential structure, interior to a Planned Unit Development may be reduced, excluding the garage where the garage door faces the front property line. Structures shall not encroach into a public utility easement.
2. All single-family attached and detached garages that face a public or private street shall be setback a minimum of twenty (20) feet from property line. Attached and detached garage door façade(s) shall be set back a minimum of four (4) additional feet from the set back of the front of the building, not including porches, when facing a public or private street. All other garage and carport entrances must be set back a minimum of two (2) additional feet when the set back of the front of the building is at least twenty (20) feet

C. Rear setbacks.

1. Rear setbacks shall be the same as the designated zone for the parent parcel for lots abutting the perimeter of the proposed development excepting alley accessed lots for which rear setbacks may be reduced to four (4) feet for alley-accessed lots with no less than a 20-foot alley width.
2. Garages and carports accessed from both sides of an alley shall be setback a minimum of four (4) feet with no less than 28-feet between garage doors.

60.35.10.3.

- D. Side setbacks. Except for zero-lot line development, side setbacks internal to the Planned Unit Development, shall be a minimum of three (3) feet with a total of six (6) feet between two buildings. In no case shall a building encroach into a Public Utility Easement (PUE). All zero-lot line development shall have side yard setbacks of 10 feet on one side of the dwelling unit and no setback required on the opposite side.

60.35.15. Open Space.

Open space shall provide opportunities for active and/or passive recreation and may include existing stands of trees, resource areas, and storm water facilities as outlined in this section. Active open space shall allow human activities including recreational and social opportunities such as play fields, playgrounds, swimming pools, plazas and other recreational facilities. Open space may also be passive and include human activities limited to walking, running, and cycling, seating areas and wildlife viewing or natural areas such as a wetland.

1. A Planned Unit Development shall provide baseline open space of an area equal to at least twenty percent (20%) of the subject site.
2. **Exemptions.** Properties within the South Cooper Mountain Community Plan Area are exempt from the open space requirements in Section 60.35.15.1, but shall provide all community features, including but not limited to, trails, habitat benefit areas, and scenic views identified in the South Cooper Mountain Community Plan, as identified in Section 60.35.25. [ORD 4654; March 2015]
3. **Open Space Standards.** Open space shall be land that is available for the creation of active and/or passive areas, or resource areas that provide visible and accessible open space to the proposed community. [ORD 4654; March 2015]
 - A. The following resource areas may count towards passive open space requirements: Significant trees and/or groves, habitat benefit areas, view corridors, steep slopes, water quality facilities, environmentally sensitive areas including wetlands and any buffers required by Clean Water Services or other regulatory body, and other resources as deemed appropriate by the decision maker.

60.35.15.3

- B. Open space shall be easily accessible, physically or visually, to all members of the planned community via a minimum thirty (30) foot wide street frontage or access easement;
 - C. No more than sixty (60) percent of the gross land dedicated to active open space may have slopes greater than five (5) percent. Additional reductions to this standard may be granted by the Planning Commission based on the context of the proposed amenities and existing site conditions.
 - D. Open space areas shall have a dedicated meter and underground irrigation system to ensure adequate water supply during establishment period (3-years) and during periods of drought for all newly planted areas. Resource areas are exempt from this criterion.
 - E. For developments ten (10) acres or greater, at least twenty-five (25) percent of the total required open space area shall be active open space and subject to the provisions of 60.35.15.4.
 - F. For the purpose of this Code, open space does not include:
 - 1. Public or private streets;
 - 2. Surface parking lots or paved areas not designated for active or passive recreation;
 - 3. Private lots and buildings including setbacks or landscape buffers. However, community buildings, community rooms, or both developed for the common use and ownership of the residents within a Planned Unit Development may be counted as open space.
 - 4. Vehicular access driveways or maneuvering areas.
4. **Active Open Space.** Active open space areas are common areas that may be gathering spots, community rooms, play areas, overlooks, or any that consist of active uses for owners, residents, or the community at large. Active open space shall meet the following criteria: [ORD 4654; March 2015]

60.35.15.4

- A. Active open space that is provided outdoors shall be no smaller than the minimum lot size requirement of the underlying zoning district with a minimum width 40 feet. For properties in multiple use zoning districts with no minimum lot size active open space areas shall be a minimum of 5,000 square feet in area. The Planning Commission may modify this requirement to accommodate trails, overlooks, and other types of recreational features which serve the residents of the development.
 - B. Active open space may abut a Collector or greater classified street as identified in the City's adopted Functional Classification Plan, when separated from the street by a constructed barrier, such as a fence or wall, at least three (3) feet in height.
 - C. Active Open Space shall be physically accessible to all residents of the development.
 - D. Active open space shall include physical improvements to enhance the area. Physical improvements may include; benches, gazebos, plazas, picnic areas, playground equipment, sport courts, swimming/wading pools, indoor clubhouses or meeting facilities, play fields, or other items permitted by the Planning Commission.
 - E. Floor area within buildings devoted to common uses which serve the residents of the development, such as indoor pools, game rooms, or community rooms, may be counted towards Active Open Space requirements based on the total floor area devoted to such uses.
5. **Maintenance and Ownership.** Land shown on the final development plan as common open space, and landscaping and/or planting contained therein shall be permanently maintained by and conveyed to one of the following:

60.35.15.5

- A. An association of owners or tenants, created as a non-profit corporation under the laws of the state (ORS 94.572) which shall adopt and impose articles of incorporation and bylaws and adopt and impose a declaration of covenants and restrictions on the common open space that is acceptable to the City Attorney as providing for the continuing care of the space. Any subsequent changes to such CC&Rs regarding open space must be approved by the City Attorney. Such an association shall be formed and continued for the purpose of maintaining the common open space and shall provide for City intervention and the imposition of a lien against the entire planned unit development in the event the association fails to perform as required; or
- B. A public agency which agrees to maintain the dedicated open space and any buildings, structures, or other improvements which have been placed on it. [ORD 4654; March 2015]
- C. Dedicated open space shall be protected by Covenants (CC&Rs) or deed restriction to prevent any future commercial, industrial, or residential development. [ORD 4654; March 2015]

60.35.20. Building Architecture.

1. **Purpose.** This section applies to development which is not subject to Section 60.05. (Design Review) of this code.

The following architectural standards are intended to promote innovative design that considers the context of the existing built and natural environment. Buildings shall be detailed, human-scale, and respond to the natural features of the site. Cluster housing or grouping buildings in areas to maximize open space and preserve significant cultural and natural resources is highly encouraged along with the use of sustainable building materials and practices. Building shall be oriented to the street or other public spaces such as parks, plazas, courtyards and open commons when served by an alley. This building architecture section also offers applicable Development Bonuses and Development Incentive Options in Section 60.35.30.

2. **Building Orientation.** Buildings shall be oriented to the street or other public spaces such as parks, plazas, courtyards and open commons when served by an alley. The orientation of buildings shall promote environments that encourage walking, social interaction, and safety.

60.35.20.2

- A. Exceptions to this standard may be allowed by the Planning Commission where access, topography, and natural resources prohibit the orientation of buildings to the street or other public open spaces.
 - B. In all cases buildings and or private lots shall be served by or have direct access to sidewalks or paths that connect to a private or public street/sidewalk system.
 - C. Garages with rear alley access or garages located in the rear of the lot with shared driveways are encouraged.
 - D. All buildings shall have their primary entrance to a street or publicly accessible sidewalk where buildings face public parks, common areas or open space.
 - E. All primary entrances shall be covered or recessed with a minimum depth of three (3) feet deep and five (5) feet wide.
3. **Building Heights.** Buildings shall be to scale with similar types of existing structures on adjacent properties. This can be accomplished by utilizing graduated building heights which offer a transition between single-story residential development and multiple-story residential.
- A. Maximum building height standards may be increased up to twelve feet (12') when the applicable building setback distance along the perimeter of the parent parcel is increased at a ratio of 1.5 additional feet of setback for every foot of building height over the base zone standard for building height.
 - B. For the South Cooper Mountain Community Plan area, structures that do not abut the exterior boundary of the plan area, may be allowed to vary building heights, without satisfying the graduated building height transitions of Section 60.35.20.3 in order to provide for a variety in housing types within developments. [ORD 4654; March 2015]
 - C. Graduated building height standards shall not apply where existing structures on adjacent properties are rural in their development or use. [ORD 4654; March 2015]

60.35.20.

4. **Architectural Standards.** Architectural standards are intended to promote quality design and detail that promote innovation and creativity that allows for a variety of building styles and types. The following standards apply to all single-family developments proposed through the PUD process. Attached residential structures, Compact Detached Housing, and commercial, industrial, and multiple use buildings are subject to the Design Standards or Guidelines of Section 60.05 of the Development Code. [ORD 4654; March 2015]
 - A. Building scale and massing shall complement surrounding uses by complying with the provisions in this Code and meeting the following criteria for residential development.
 - B. Front façade elevations shall not be repeated on adjacent lots along the same street frontage.
 - C. All detached residential structures shall include design elements that provide building articulation, continuity of form and variety. Architecture should avoid long expanses of uninterrupted building surfaces. Buildings shall incorporate at least six (6) of the following building elements on the front, rear, common open space, and street facing elevations and four (4) of the following elements on interior side yard elevations:
 1. Window reveals, canopies, awnings, and covered patios.
 2. Balcony on the same façade as the main entrance. The balcony must be at least 48 square feet and a minimum 8 feet wide, and must be accessible from the interior living space of the house.
 3. Porches on the front elevation that have dimensions of at least eight feet wide and six feet deep, and are covered by a roof supported by structurally integral columns, cables or brackets.
 4. Three or more gables.
 5. Offsets in roof elevations of two (2) feet or greater;

60.35.20.4.C

6. A primary sloped roof that is no flatter than 6/12 and no steeper than 12/12.
7. Bay or bowed windows extending out from the front building elevation that reflect an internal space such as a room or alcove.
8. Elevations on residential units facing streets, common greens and shared courts having at least 40 percent of the elevation area on each floor permanently treated with windows.
9. Window shutters on windows.
10. Staggered windows that do not align with windows on adjacent properties and minimize the impact of windows in living spaces that may infringe on the privacy of adjacent residents.
11. Windows grouped together to form larger areas of glazing, if individual window units are separated by moldings or jambs.
12. Windows with multiple panes of glass or designed to mimic the look of multiple panes.
13. Window patterns, building articulation and other treatments that help to identify individual residential units.
14. Dormers.
15. Trim markings provided for roof lines, porches, windows and doors on all elevations. The trim must be at least 3-1/2 inches wide.
16. Weather protection for primary building entrances that exceed 7½ feet wide by five feet deep.
17. An attached garage with a gable or hip roof, or with a second story above the garage.

60.35.20.4.C

18. Building face or roof offsets (minimum 12 inch offset).
19. The use of differentiated exterior siding materials. In general, materials should change on horizontal planes, not vertical planes. Types of siding materials may include:
 - a. Horizontal lap siding, including simulated horizontal lap siding where the boards in the pattern are 6 inches or less in width;
 - b. Vertical cedar siding;
 - c. Beveled siding,
 - d. Shingles
 - e. Stucco
 - f. Brick
 - g. Stone or manufactured stone
 - h. Scored masonry
 - i. Changes in a combination of texture, pattern or color of a single material
20. Decorative structural accents such as kneebrackets or corbels, widow walks, turrets, hooded windows, pinnacles and pendants, pillars or posts, board and batten, or other architectural vernacular style common to the Pacific Northwest.
21. Permanent planter boxes of at least 25 square feet constructed as an extension of a front elevation or primary building entrance.
22. A landscaped courtyard of at least 100 square feet located as a transition element between a primary building entrance and a street, common green or shared court. The landscaping within the courtyard shall exceed the minimum requirements of Section 60.05.25.4. by 15%. [ORD 4576; January 2012]
23. An alternative feature approved by the Planning Commission.

60.35.20.4

- D. Building elevation is measured as the horizontal plane between the lowest plate line and the highest plate line of any full or partial building story containing doors, porches, balconies, terraces and/or windows.
- E. Alternative building design may reflect modern building form and style. These styles may have less detail or ornamentation but shall have demonstrated successful use of materials and form, and a cohesive architectural style and be approved by the Planning Commission.

60.35.25. South Cooper Mountain Community Plan [ORD 4654; March 2015]

The South Cooper Mountain Community Plan is part of the *Comprehensive Plan for the City of Beaverton*. It provides regulatory policies and maps, along with descriptions and illustrations of the context for those policies and maps, for 544 acres within the southwestern area of the City of Beaverton. This section of the *Development Code of the City of Beaverton* outlines specific implementation requirements and connections to the policies of the South Cooper Mountain Community Plan.

- 1. Proposals within the South Cooper Mountain Community Plan area shall demonstrate compliance with the following applicable South Cooper Mountain Community Plan policies and figures:
 - A. Land Use:
 - 1. Land Use Implementation Policy 6: location criteria guiding the selection of appropriate sites for Neighborhood Parks and Elementary Schools.
 - 2. Neighborhood and Housing Policy 1: neighborhood design principles for creating walkable neighborhoods.

60.35.25.1.A

3. Neighborhood and Housing Policy 2: Residential developments shall provide a variety of housing types consistent with the permitted uses of applicable zone(s). The goal of this policy and implementing code standards is to ensure that, over time and multiple individual development reviews, South Cooper Mountain's neighborhoods and livability are enhanced by variety in the type and design of housing in order to promote aesthetically pleasing residential neighborhoods as well as opportunities for people of varying incomes and life stages to live within the same neighborhood.
 - a. Residential developments in the South Cooper Mountain Community Plan area shall provide a variety of housing types, as identified below, for sites:
 - i. Up to 15-acres (gross), a minimum of one (1) housing type;
 - ii. Greater than 15-acres and up to 30-acres (gross), a minimum of two (2) housing types;
 - iii. Greater than 30-acres (gross), a minimum of three (3) housing types.
 - b. Housing Types include:
 - i. Standard Lot Single Family. Density range from 90 percent to 195 percent of the minimum land area per dwelling unit requirement of the underlying zoning district;
 - ii. Small Lot Single Family. Density range from 50 percent to 70 percent of the minimum land area per dwelling unit requirement of the underlying zoning district;
 - iii. Compact Detached Housing & Cluster Housing. Density range from 25 percent up to 49 percent of the minimum land area per dwelling unit requirement of the underlying zoning district;
 - iv. Accessory Dwelling Unit with Single Family Detached Dwelling;
 - v. Alley-Loaded Dwellings. A dwelling unit designed with the front façade oriented toward a street and the garage door façade oriented toward an alley.
 - vi. Duplex;
 - vii. Triplex & Four-plex;

60.35.25.1.A

- viii. Townhouse / Townhome;
- ix. Multi-family;
- x. Live /work, only permitted in the NS zoning district.

| Zoning District | | R1 | R2 | R4 | R5 | R7 |
|--------------------------------------|------|-------|-------|-------|-------|--------|
| Base Zone (sq. ft / dwelling) | | 1,000 | 2,000 | 4,000 | 5,000 | 7,000 |
| Land Area (sq ft) | | | | | | |
| Standard Lot Single Family | | | | | | |
| maximum | 195% | 1,950 | 3,900 | 7,800 | 9,750 | 13,650 |
| minimum | 90% | 900 | 1,800 | 3,600 | 4,500 | 6,300 |
| Small Lot Single Family | | | | | | |
| maximum | 70% | 700 | 1,400 | 2,800 | 3,500 | 4,900 |
| minimum | 50% | 500 | 1,000 | 2,000 | 2,500 | 3,500 |
| Compact Detached and Cluster Housing | | | | | | |
| maximum | 49% | 499 | 999 | 1,999 | 2,499 | 3,499 |
| minimum | 25% | 250 | 500 | 1,000 | 1,250 | 1,750 |

- c. For developments requiring more than one (1) housing type a minimum of 10 percent of the total dwelling units shall be of each housing type.
 - d. For developments utilizing the Standard Lot Single Family housing type (Section 60.35.25.1.A.3.b.i.) and not utilizing the Small Lot Single Family housing type (Section 60.35.25.1.A.3.b.ii.), the lot size for Standard Lot Single Family may range from 50 percent to 195 percent of the minimum land area per dwelling unit requirement of the underlying zoning district and it shall count as one housing type.
- 4. Main Street Policy 2: Main Street pedestrian orientation and access.
 - 5. Main Street Policy 4: Main Street design principles.
- B. Transportation:
- 1. Figure 10: Community Plan Street Framework map.

60.35.25.1.B

2. Street Policy 1: Community Plan Street Framework and Comprehensive Plan Chapter 6.
3. Street Policy 10: Community Plan Street Framework, refining specific alignments.
4. Figure 11: Community Plan Bicycle and Pedestrian Framework map.
5. Bicycle and Pedestrian Framework Policy 1: Bicycle and Pedestrian Crossings.
6. Bicycle and Pedestrian Framework Policy 2: Trails.

C. Resource Protection and Enhancement:

1. Figure 12: Natural Resources in the Community Plan area map.
2. Natural Resource Policy 1: Local Wetlands and Riparian Areas
3. Natural Resource Policy 2: Development adjacent the Significant Natural Resource Areas.
4. Urban Forestry Policy 2: Tree Planting.
5. Urban Forestry Policy 3: Regionally Significant Upland Habitat.
6. Scenic Views Policy 1: Protection of View Corridors.
7. Rural Edges and Transitions Policy 1: SW Tile Flat Road Landscape Buffer.

D. Infrastructure Provision:

1. Infrastructure Policy 1: Urban development not allowed without urban services
2. Infrastructure Policy 7: Alignment for new water and sewer.

60.35.25.

2. Proposals within the South Cooper Mountain Community Plan area shall demonstrate compliance with the following applicable Comprehensive Plan policies and figures:

A. Chapter Six, Transportation Element:

1. Figure 6.2a: Planned Bicycle and Pedestrian Network.
2. Figure 6.4a: Functional Classification.
3. Figure 6.6a: Future Streets Where Right-of-Way is Planned for More Than Two Lanes.
4. Figure 6.20: Local Connectivity Map.

60.35.30. Development Bonuses and Development Incentive Options.

The PUD also offers the applicant additional standards which can be met as incentives to promote more creative and innovative approaches to site design and infrastructure. The Development Incentive Options are not required; an applicant may choose to meet the standard provisions and requirements of the PUD code. The Development Incentive Options are intended to promote a wide variety of creative and sustainable design practices that better integrate site design, building architecture, and open space with the existing built and natural environment and lead to exceptional community building in the City of Beaverton. Development Incentive Options shall also consider the form and function of the physical improvements and their relationship to each other and the existing environment. Development plans that meet selected Development Incentive

Options chosen by the applicant may take advantage of one or both:

- Reduced open space requirements;
- Setback reduction of the parent parcel.

60.35.30.

Development Incentive bonuses are described below and quantify the flexibility and options that the developer may use to obtain additional flexibility in open space requirements and setback reductions. Approval of the Development Incentive Options and the additional development flexibility allowed are at the discretion of the Planning Commission. In all cases the total incentives and bonuses may not reduce open space by more than sixty (60) percent of the open space as required in Section 60.35.15. [ORD 4654; March 25]

The following Development Bonuses and Incentive Options are intended to provide design flexibility.

60.35.40. Allowed Development Bonuses.

Site plans that meet selected Development Incentive Options chosen by the applicant may take advantage of one or a combination of the following Development Bonuses:

1. Decrease open space area requirement by using a combination of Development Incentive Options up to a maximum of sixty (60) percent of that required by the PUD standard open space requirements; [ORD 4654; March 2015]
2. Reduce front and rear setbacks of parent parcel up to ten (10) percent within the perimeter of the PUD.

60.35.50. Development Incentive Options.

1. **Open Space Development Incentive Options = Twenty (20) Percent Open Space Reduction.** Up to a twenty (20) percent reduction in the required amount of open space as approved by the Planning Commission may be achieved by conforming to the open space options listed below. The Planning Commission may consider other improvements in addition to those listed that offer a similar level of quality and continuity in the proposed open space:
 - A. Active Recreation – Development of Twenty-five (25) percent of active open space in addition to the minimum required active open space as usable for active recreation, such as: play structures, picnic areas, or sports field; or [ORD 4654; March 2015]

60.35.50.1

- B. View Preservation – Open space is sited such that a view corridor of a significant natural vista is preserved for the community at large, such as views into Significant Tree Groves or Significant Natural Resource Areas.

2. Architectural Development Incentive Options for a Decrease in Open Space, Front and Rear Setbacks. The following architectural incentives promote sustainable building practices and architectural detail in order to promote high quality design and character. A maximum decrease of up to twenty (20) percent of required open space or ten (10) percent of the front and rear setbacks on the parent parcel is at the discretion of the Planning Commission, where the applicant's site plan and proposed architecture meet one of the following incentives: [ORD 4654; March 2015]

- A. Develop lots such that 90% meet solar access requirement (60.45.05) for a ten (10) percent decrease in open space.
- B. Install a 'Greenroof' or Ecoroof on 100 percent of the roof area of twenty (20) percent of the detached dwellings or 20 percent of the total roof area for attached dwellings, multifamily dwellings, commercial, or industrial buildings for a ten (10) percent decrease in the required open space.
- C. Up to ten (10) percent reduction in front and rear parent parcel setbacks as approved by the Planning Commission may be achieved by developing cluster housing that preserves and increases open space by twenty (20) percent above baseline requirement.

3. Affordable Housing Development Incentive Options for a Decrease in Open Space. Up to a fifty (50) percent reduction in the required amount of open space as approved by the Planning Commission may be achieved by development of ten (10) percent of the units as affordable housing. Up to a sixty (60) percent reduction in the required amount of open space as approved by the Planning Commission may be achieved by development of twenty (20) percent of the units as affordable housing.

60.35.50.3

Affordable housing is defined as housing affordable to households earning up to 100 percent of the median household income in Washington County, or less as adjusted for family size as determined by the U.S. Department of Housing and Urban Development (HUD). Housing prices and/or rents shall be limited to that level through deed restriction for up to thirty (30) years. Approval of the affordable housing Development Incentive Option shall be subject to a developer identifying and contracting with a public, or private housing agency that will administer the housing affordability

60.40. SIGN REGULATIONS.

60.40.05. Purpose. The general purpose of this Chapter is to implement the Beaverton Comprehensive Plan, to protect the health, safety, property, and welfare of the public, and to ensure compliance with State and Federal constitutional protections to freedom of speech. To achieve these purposes, the text of this Chapter is to establish a regulatory framework for signs which will:

1. Provide a neat, clean, orderly, and attractive appearance to the community.
2. Provide for safe construction, location, erection, and maintenance of signs.
3. Prevent proliferation of signs and sign clutter and minimize adverse visual safety factors to travelers on public rights-of-way.
4. Provide for readily identifiable locations and addresses to persons travelling on public right-of-way.
5. Provide clear standards for regulating signs based on location, size, type, time, place, manner, aesthetics and number. [ORD 4708; May 2017]

60.40.07 Compliance.

1. No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use or maintain any sign, or cause or permit the same to be done, contrary to or in violation of any of the provisions of Section 60.40 of this Code.
2. Except as provided in Section 60.40.10, no person shall erect, construct or alter a sign, or permit the same to be done, unless a sign permit has been issued by the city. A sign permit for the construction and continued use of a sign is subject to the terms and conditions stated in the permit and this Code.
3. An application for sign permit approval is subject to the procedures set forth in Section 40.60 (Signs) of this Code. The city may require as a condition of a sign permit that any and all unlawful sign(s) on the applicant's property be removed by a stated time.

60.40.07.

4. The provisions of this Code shall not be construed to permit the erection or maintenance of any sign at any place or in any manner unlawful under any other federal, state, or local law. Where a part of the provisions of Section 60.40 conflict with a provision of any zoning, development, building, fire, safety or health ordinance or code, the more restrictive provision shall prevail.
5. If any section, subsection, paragraph, sentence, clause or phrase of this Code is declared invalid for any reason by a court having jurisdiction under State or Federal law, the remaining portions of this Code shall remain in full force and effect. [ORD 4708; May 2017]

60.40.10. Signs Exempt from Permits and Regulation. The following signs are exempt from regulation and do not require permits:

1. Signs constructed or placed in a public right-of-way by or with the approval of a governmental agency having legal control of that right-of-way for the purpose of traffic control, transit, public safety and wayfinding. [ORD 4708; May 2017]
2. Signs constructed or placed by public utility companies for the general purpose of providing information concerning a pole, line, pipe or other facility belonging to the public utility as an aid to public safety. [ORD 4708; May 2017]
3. Signs that are placed outside and are not visible from public right-of-ways. [ORD 4708; May 2017]
4. Public Art as defined in Section 2.03.245.A of the Beaverton City Code. [ORD 4482; April 2008]
5. Street address identifiers (numbers or letters) of buildings. [ORD 4708; May 2017]
6. Plaques, markers or banners placed by the city or city recognized agency or organization for the general purpose of recognizing historic significance or military service. [ORD 4708; May 2017]

60.40.10.

7. Signs allowed as part of a Special Event Permit, subject to separate regulation under Chapter 7, Section 7.05 of the Beaverton City Code. [ORD 4708; May 2017]
8. No sign is exempt from the provisions of Section 60.40.25 (Prohibited Signs) and Section 60.40.55. (Nonconforming and Illegal Signs). [ORD 4708; May 2017]

60.40.15. Signs not Subject to Permit but Subject to Regulation for Size, Dimensions, Location, Duration and Aesthetics. No permit is necessary before placing, constructing or erecting the following signs so long as any such signs conform to the following regulations:

1. Window Sign. As defined in Chapter 90 of Development Code, such signs shall not exceed twenty percent (20%) of interior window area per window. [ORD 4708; May 2017]
2. Face Changes to Existing Cabinet Style Signs. Changes to existing approved cabinet style signs that only replace the material on which the sign text is located do not require a permit, provided that the replacement material is similar in opaqueness to the existing material. [ORD 4708; May 2017]
3. Flags on Poles. In residential zones, flags on poles extending from the ground are limited to twenty-five (25) feet in height except for non-residential uses where the pole height is limited to sixty (60) feet. In all other zones, poles extending from the ground are limited to forty-five (45) feet in height. No flag shall be located within the public right-of-way. Flag area shall not exceed the dimensions of six feet by ten feet. [ORD 4708; May 2017]
4. Signs Located in Parking Lots for Traffic Safety, Parking Restrictions and Compliance with State and Federal Standards. For the purpose of this section, signs for controlling traffic and parking, including but not limited to ADA posting and towing notification, are allowed in any zone. Signs for this purpose shall be placed outside the required sight clearance areas specified in Chapter 2 Section 210 of the City Engineering Design Manual and shall be limited to six (6) square feet in area and eight (8) feet in height as measured from the nearest parking lot surface where placed. [ORD 4708; May 2017] [ORD 4782; April 2020]

60.40.15.

5. Temporary Signs. Temporary signs as provided in Section 60.40.45. of this Code and subject to regulations as stated therein. [ORD 4708; May 2017]
6. Maintenance of Existing Signs that Conform to Standards. Maintenance and repair of existing signs that conform to current sign regulations and standards are not subject to permit, provided that the signs are not altered and retain the same size, shape, location and height. Preexisting nonconforming sign(s) are subject to restriction and regulation under Section 60.40.55. [ORD 4708; May 2017]
7. Sign(s) Associated with Temporary Use Permit. Temporary uses as allowed by Section 40.80. of the Development Code, shall be allowed one (1) wall sign thirty-two (32) square feet in area. A-frame style signs are not allowed in the public right-of-way for this purpose. Wall signs must be affixed to a structure. All signs shall be removed from the site when the use ceases operation. [ORD 4708; May 2017]
8. Signs Placed on Public Property for Internal Users. Signs placed on public property for general purpose of internal way-finding, circulation or posting of rules for use of property shall be placed outside required vision clearance areas and shall be limited to twenty-four (24) square feet in area and eight (8) feet in height as measured from the nearest ground or surface area where placed. [ORD 4708; May 2017]
9. Name Plate. One (1) name plate associated with an approved Home Occupation, not to exceed two (2) square feet in size. [ORD 4708; May 2017]

60.40.20. Signs for which a Sign Permit is Required. The following new signs or proposals which alter the area, size, or dimensions of existing signs or sign structures are subject to all ordinance regulations, and permits are required prior to on-site construction, installation or placement of such signs or sign structures.

1. Fence Sign. Fence signs shall be subject to the same requirements as a freestanding sign and shall not exceed the height of the fence.
2. Freestanding Sign.

60.40.20.

3. Wall Sign. [ORD 4139; January 2001]
4. Projecting Sign.
5. Athletic Field Signage (permanent oriented to face the field). Any number of signs, including but not limited to scoreboards, may be placed within existing athletic fields maintained by a public or private school or public park agency, provided that such signs are oriented to face the field of play and not to public right-of-ways or abutting properties. Athletic field signage may be indirectly visible from a public right-of-way or abutting private property so long as the message is not readable from the public right-of-way because of the placement or angle of the sign and may be subject to other restrictions under past Conditional Use approval, if applicable. Athletic field signage shall be limited to 85 square feet in size and shall be no higher than 15 feet above grade on which the sign is located. [ORD 4708; May 2017]
6. Awning Sign. [ORD 4708; May 2017]
7. Canopy Sign. [ORD 4708; May 2017]
8. Blade Sign. [ORD 4708; May 2017]
9. Electronic Message Center. Subject to the regulations as provided in Section 60.40.50 of this Code. [ORD 4708; May 2017]
10. Sign Associated with Drive-up Window Facility. One or more signs are allowed, in addition to other signs allowed by permit. Any one sign for this purpose shall not exceed 25 square feet in size and the total cumulative area of all signs shall not exceed 50 square feet. [ORD 4708; May 2017]

60.40.25. Signs Expressly Prohibited. The following signs are prohibited by this ordinance within City limits.

1. Bench Sign. [ORD 4708; May 2017]
2. Billboard. [ORD 4708; May 2017]
3. Feather Sign. [ORD 4708; May 2017]
4. Flashing Sign.

60.40.25.

5. Obstructing Sign.
6. Portable Sign except where allowed as a temporary sign in Section 60.40.45. of this Code. [ORD 4708; May 2017]
7. Portable Electronic Message Center Sign. [ORD 4708; May 2017]
8. Roof Sign except on single story buildings where a sloped roof is a predominant architectural feature of the building and the Planning Director determines that signs placed on wall(s) of the same building cannot be seen from the nearest abutting street. In these cases, the top of the sign shall not be placed higher than one foot below the roof parapet wall. [ORD 4708; May 2017]
9. Rotating or Revolving Sign.
10. Trailer Sign including any sign attached to or placed on a trailer that is parked on public or private property. [ORD 4708; May 2017]
11. Video Sign. [ORD 4708; May 2017]
12. Other Prohibitions. In addition to 1 through 11 above, the following are prohibited:
 - A. Signs in vision clearance areas as established in Chapter 2 of the City Engineering and Design Manual.
 - B. Pennants, streamers, festoon lights and other similar devices with parts that are moved by the wind. [ORD 4708; May 2017]
 - C. Signs attached to any tree or public utility pole, other than signs identified as exempt in Section 60.40.10. [ORD 4708; May 2017]
 - D. Signs using bare-bulb illumination or lighted so that the immediate source of illumination is visible. This is not intended to prohibit the use of neon as a source of illumination.
 - E. Signs using flame as a source of light.
 - F. Any sign which purports to be or is an imitation of or resembles an official traffic sign or signal. [ORD 4708; May 2017]

60.40.25.12.

- G. Any sign which by reason of its size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control device, or which blocks visibility of any traffic sign or signal. [ORD 4708; May 2017]
- H. Signs designed or used for the purpose of emitting sound or dispersing smells.
- I. Inflatable signs, balloons greater than eight cubic feet, or similar devices. [ORD 4708; May 2017]

60.40.30. General Size and Location Provisions

1. Size. The size of a sign shall be the entire area within any type of perimeter or border which encloses the outer limits of any writing, representation, emblem, figure, or character. The area of the sign having no such perimeter or border shall be computed by enclosing the entire area with a parallelogram or a triangle of the smallest size sufficient to cover the entire area of the sign and computing the area of the parallelogram or a triangle. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign. Conforming and/or nonconforming signs in existence at the time of the enactment of this ordinance shall be counted in establishing the permitted area or size of all new signs to be allowed on the property.
2. Height of Sign. The height of a sign shall be measured from the finished ground level, excluding mounds, berms, etc., to the top of the sign or the highest portion of the sign structure or frame, whichever is greater.
3. Finish Ground Level (Grade). The average elevation of the ground adjoining the structure of building upon which the sign is erected.
4. Location. Sign location shall comply with Section 60.55.35.3. (Intersection Standards) of this Code and shall be accurately represented on sign permit applications. [ORD 4708; May 2017]
5. Unless otherwise allowed by a specific Code provision, signs shall not be located within the public right-of-way. [ORD 4708; May 2017]

60.40.35. Signs in Commercial, Industrial, and Multiple Use Zones. In all commercial, industrial zones, and multiple use zones, as defined in Sections 20.10, 20.15, and 20.20, the following regulations apply:

1. Wall Sign. [ORD 4139; January 2001] Wall signs, as defined in Chapter 90, shall be allowed for each business and shall be subject to the following regulations:
 - A. Wall Sign Area Calculation Method. The total signage area allowed for exterior building walls shall be determined by measuring the exterior wall length and the exterior wall height of the Primary Building Wall. Wall length is then multiplied by wall height, where for calculation purposes height may not exceed 25 feet, and the product is then multiplied by twenty percent (20%). The resulting product represents the cumulative maximum face area allowed for all signs on the subject building. The maximum face area of any one wall sign is 120 square feet. [ORD 4708; May 2017]
 - B. Wall Sign Area Allocation to Primary and Other Building Walls. The total amount of face area allowed for wall signs under section 1.A., above, may be allocated to building walls other than the Primary Building Wall at any percentage amount, provided the sum total for allocation purposes is equal or less than the total maximum face area as determined for the Primary Building Wall. For example, sign area may be allocated to an amount of ten percent (10%) of two building faces or five percent (5%) of four building faces. For buildings that have multiple tenants, the general allowance of 20% may be divided among the lessees in proportion to their lease frontages, or in another manner approved by the building owner in the case of a master sign program. (ORD 3374) (ORD 3494) [ORD 4708; May 2017]
 - C. Wall Sign Location. One hundred percent (100%) of the allowed wall sign area may be located on any portion of the exterior wall that is up to twenty-five (25) feet above finished grade and in no case may any portion of a wall sign be higher than one (1) foot below the top of the exterior wall to which it is attached. For exterior walls that are in excess of twenty-five (25) feet in height, twenty-five percent (25%) of the total allowed wall sign area may be located above the twenty-five (25) foot height and in no case may any portion of a wall sign be higher than one (1) foot below the top of the exterior wall to which it is attached.

60.40.35.1.

- D. Maximum Wall Sign Projection. The exposed face of the sign shall be in a plane approximately parallel to the face of said exterior wall and not projecting more than sixteen (16) inches from the wall. This distance is inclusive of the electrical raceway component if proposed. This provision does not apply to Projecting Signs, Blade Signs, Awning Signs and Canopy Signs. [ORD 4708; May 2017]
 - E. Master Sign Program. For developments containing one or more businesses, a master sign program may be proposed by the property owner. Master sign programs shall contain the proposed colors, lettering styles, sizes and the location of wall and freestanding signs for tenants in the development. The general allowance of twenty percent (20%) of exterior wall area for wall signs will be used with the allowable square footage divided among lessees. It shall be the responsibility of the property owner to administer and control any aspect of a master sign program that is more restrictive than the City's sign regulations. Individual business signs which are part of a master sign program are subject to the permit application process.
- 2. Awning Sign. Signs may be placed on or incorporated into awnings and canopies that are part of the building architecture. Signs placed on awnings and canopies are inclusive of the total wall sign area calculation and limited to 25 feet in height as measured from the ground. All signs attached to awnings and canopies must conform to the latest edition of the International Building Code in meeting wind and deadload requirements and must be adequately maintained to prevent deterioration which could be a hazard to pedestrian traffic beneath the sign. Awning signs shall have an underneath clearance of eight (8) feet. [ORD 4708; May 2017]
 - 3. Projecting Sign (Perpendicular to Building Wall). Buildings within the Commercial, Industrial, and Multiple Use zoning districts may have one projecting sign in-lieu of a freestanding sign. Projecting signs may project over private property, a public right-of-way, or both and shall be subject to the following:
 - A. Projecting signs may project no more than eight (8) feet or two-thirds (2/3) of the width of the sidewalk or to within two (2) feet of the curb, whichever is less.

60.40.35.3.

- B. Projecting signs shall have a minimum clearance of eight (8) feet above the ground or sidewalk.
 - C. The maximum size of a projecting sign is 32 square feet per sign face. The total amount of projecting sign area shall not exceed 64 square feet.
 - D. Projecting signs shall not utilize guy wires for structural support. Bracket or arm supports shall be utilized so that the sign is positioned at least two inches away from the nearest wall. [ORD 4708; May 2017]
4. Blade Sign - Projecting. Buildings within the Commercial, Industrial, and Multiple Use zoning districts may attach blade signs perpendicular to building walls or to awnings. Blade signs are inclusive of the total wall sign area calculation and may project over private property, a public right-of-way, or both and shall be subject to the following:
- A. Blade signs may project from the building elevation no more than five (5) feet or to within two (2) feet of a street curb, whichever is less.
 - B. Blade signs shall have a minimum clearance of eight (8) feet and a maximum clearance of twenty-five (25) feet above the ground or sidewalk.
 - C. The maximum size of a blade sign is nine (9) square feet.
 - D. Multiple blade signs per building are allowed and shall be limited to one (1) blade sign per tenant owned or leased space within the building and shall be separated by a minimum distance of ten (10) feet.
 - E. Blade signs shall not be internally illuminated.
 - F. Blade signs shall not utilize guy wires or cable lines for structural support. Bracket or arm supports shall be utilized so that the sign is positioned at least two inches away from the nearest wall. [ORD 4708; May 2017]

60.40.35.

5. Freestanding Sign. Except as provided in Section 60.40.35(5)(I), one Freestanding sign shall be allowed per legal lot of record. Contiguous legal lots of record under one ownership shall be considered one lot for the purposes of calculating the number of freestanding signs allowed. (ORD 3494) [ORD 4058, August 1999] [ORD 4708; May 2017]

Commercial and Industrial Zoning Districts

| | NS | CS | CC | GC | IND | OI-NC | OI |
|--|----|-----|----|-----|-----|-------|----|
| A. Number* | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| B. Size (Maximum sq. ft. for all faces combined) | 64 | 64 | 64 | 64 | 64 | 64 | 64 |
| C. Size (Maximum for any one face) | 32 | 32 | 32 | 32 | 32 | 32 | 32 |
| D. Height Maximum | 8' | 15' | 8' | 15' | 8' | 8' | 8' |

* Additional freestanding signs are possible based on lineal street frontage length. [ORD 4708; May 2017]

Multiple Use Zoning Districts [ORD 4058, August 1999] [ORD 4107; May 2000] [ORD 4265; September 2003]

| | RC-TO, RC-OT, RC-E, OI-WS, C-WS TC-MU, TC-HDR, SC-MU, SC-HDR, SC-E, SC-S, SC-E1,2,3 |
|--|---|
| E. Number* | 1 |
| F. Size (Maximum sq. ft. for all faces combined) | 64 |
| G. Size (Maximum for any one face) | 32 |
| H. Height Maximum | 15' |

* Additional freestanding signs possible based on lineal street frontage length. [ORD 4708; May 2017]

60.40.35.5.

- I. Number of Allowed Freestanding Signs based on Street Frontage Length. [ORD 4708; May 2017]
 1. When the lineal frontage exceeds 300 feet, an additional freestanding sign shall be permitted for each 300 feet of lineal property frontage. In applying this standard, each freestanding sign must be at least 200 feet from any other freestanding sign on the same site along the lineal property frontage.
 - a. Where lineal property frontage distance would allow four (4) or more signs (1200 lineal feet of property frontage), two (2) of the freestanding signs may be replaced with one (1) double face sign sixty-four (64) square feet per face and not more than twenty (20) feet in height. (ORD 3494)
 - b. In the instance where multiple freestanding signs are allowed, projecting signs may be substituted for freestanding signs. If a freestanding sign and projecting sign are located on the same site, the separation standard of 300 feet only applies to freestanding signs. [ORD 4708; May 2017]
 2. In the case of a through lot which has a distance of 200 feet or greater at its shortest measurement point between the streets, and the frontages are on streets which have a collector or higher status, a freestanding sign may be placed on each street frontage, so long as all freestanding signs on the lot are a minimum of 200 feet apart. (ORD 3494)
 3. Signs associated with drive-through window operation are not subject to location and spacing standards applied to freestanding signs. [ORD 4708; May 2017]

60.40.35.5.

- J. Combined Freestanding Signs for Separate Properties. Two or more owners of adjacent separate properties zoned commercial or multiple use may combine their respective street or highway frontages and erect one (1) freestanding sign with combined square footage per face, but not to exceed the height limitation for the zone, or twenty (20) feet and not to exceed 64 square feet for a double-faced sign if the combined frontage exceeds 1200 feet. In applying this option, no other freestanding signs shall be permitted on the premises and agreement between property owners for this purpose shall be recorded for posterity. [ORD 4708; May 2017]

6. **Downtown Regional Center Design and Material Standards** In addition to the standards for sign number, size, height and placement identified in this section, signs located in Regional Center – Old Town (RC-OT) and Regional Center – Transit Oriented (RC-TO) zones are subject to the following design and materials standards:

- A. **Freestanding Signs Utilizing a Pole.** All freestanding signs that are supported by pole(s) shall employ use of durable materials, including but not limited to, rock, brick, stone, tiles or combination thereof at the base of the pole for a minimum height of three feet and a minimum diameter of two feet. Similarly, all monument style freestanding signs with a single base for support shall apply the same material elements. If concrete is used as a base material, the exterior shall be architecturally treated to include scoring or texture. [ORD 4708; May 2017]
- B. **Projecting Signs, including Blade Signs.** Projecting signs shall employ use of durable materials, including but not limited to, wrought iron and steel for support where attached to the wall of a building. Use of guy wires for sign support is prohibited. [ORD 4708; May 2017]

60.40.35.

7. Signs at Entrances to Industrial Parks in Industrial Zones. Platted industrial land divisions may have a maximum of four (4) double-faced freestanding signs, at a maximum height of eight (8) feet, placed at primary vehicle entrances, at one per entrance, for the purpose of identifying the subdivision-industrial parks. The sign face shall not exceed thirty-two (32) square feet. A sign shall be located at least 100 feet from any other permitted freestanding sign on the same lot. No sign may be located in a public right-of-way or in a vision clearance area specified in Chapter 2 of the City Engineering Design Manual. (ORD 3494) [ORD 4708; May 2017]

60.40.40. Residential Zones (R-1, R-2, R-4, R-5, R-7, R-10). In residential zones as identified in 20.05, the following signs are allowed:

1. General Provisions.
 - A. Authorized Non-residential uses. One (1) indirectly lighted sign not to exceed thirty-two (32) square feet in area per face shall be permitted for an authorized or conditional non-residential use not in conjunction with a home occupation. The one (1) sign may be a freestanding sign or a wall sign. If the sign is to be a freestanding sign, the maximum height of the sign shall not exceed eight (8) feet. (ORD 3374) (ORD 3494) [ORD 4708; May 2017]
 - B. Signs at Entrances to Land Divisions and Multi-Family Uses. One (1) single or double faced indirectly lighted sign not to exceed thirty-two (32) square feet per face shall be allowed at primary vehicle entrances of land division or multi-family unit development. If the sign is to be freestanding, the maximum height of the sign shall not exceed eight (8) feet. (ORD 3374) (ORD 3494) [ORD 4708; May 2017]

60.40.45. Temporary Signs. Temporary signs may be erected and maintained in the City only in compliance with the regulations in this Code, and with the following specific provisions:

1. The following provisions apply to all temporary signs in all zones:
 - A. Temporary signs shall not be illuminated.

60.40.45.1

- B. Temporary signs shall be constructed in a manner that prevents the sign from being blown from its location and allows for the easy removal of the sign.
 - C. Temporary signs shall not be attached to trees, shrubbery, utility poles or traffic control signs or devices.
 - D. Temporary signs shall not be erected or maintained in a way which, by reason of their size, location or construction constitutes a hazard to the public.
 - E. Temporary signs shall be located outside of the vision clearance area specified in Chapter 2 of the City Engineering Design Manual.
 - F. Conditions of Temporary Use or Special Event approval shall govern the placement, type and duration of all temporary signs consistent with the approved signage plan.
 - G. During a period not to exceed sixty (60) days prior to any special, primary or general election, any number of lawful, indirectly lighted temporary signs not exceeding six (6) feet in height may be erected in all zones; provided, however, that,
 - 1. No signs shall be erected on public property or in the public right-of-way, and
 - 2. All signs erected pursuant to this subsection shall be removed no later than five (5) days following the election.
2. **Temporary Signs in Residential zones (Private Property).** In all Residential zoning districts, temporary signs are allowed under the following circumstances:
- A. If Property is for Sale or Rent. When properties or dwellings are for sale or rent, the owner or the owner's authorized representative may erect the following signs:
 - 1. Two (2) double-faced signs on the lot, not to exceed four (4) square feet per face.

60.40.45.2.A.

2. Four (4) off-premise portable signs no greater than four (4) square feet per face that comply with placement standards of Section 60.40.45.4 if placed in public right-of-way and with property owner consent if placed on private property. These signs must be removed within 24 hours of placement. [ORD 4708; May 2017]

B. If Property has received Land Use approval for New Residential Subdivision. While property is under construction and has been approved for a land division that creates more than three (3) contiguous lots, the owner or the owner's authorized representative may erect the following signs:

1. One (1) double-faced sign of thirty-two (32) square feet per face, or two (2) thirty-two (32) square foot single-faced signs placed at the primary vehicle entrance to the new residential subdivision. The sign(s) shall be removed at the end of the two (2) years or when ninety percent (90%) of the subdivision lots contain a completed structure, whichever occurs first. These signs may be externally illuminated. [ORD 4708; May 2017]

C. If Property has received Land Use approval for New Multi-family Development or Non-Residential Use. While property is pending site development or under construction for a new multi-family residential building or a non-residential use, the owner or the owner's authorized representative may erect the following signs:

1. One (1) double-faced wall or freestanding sign of thirty-two (32) square feet per face, or two (2) thirty-two (32) square foot single-faced signs. Such signs may not be placed earlier than the first issuance of a certificate of occupancy for a residential structure. The sign(s) shall be removed no later than thirty (30) days after the issuance of the final certificate of occupancy for a residential structure, or one (1) year from the first issuance, whichever comes first. These signs may be externally illuminated. [ORD 4708; May 2017]

60.40.45.2.C.

2. One (1) banner per building no more than thirty-two (32) square feet per face, from the date of issuing building permits to four (4) weeks after issuing a Certificate of Occupancy. Banners shall be affixed to exterior wall(s) of the building(s) so as to lie flat.

D. If Property Contains Athletic Field Maintained by a Public or Private School or Public Park Agency. Temporary banners or temporary rigid signs located on a fence and oriented to face athletic fields and not adjoining streets are allowed in any zone. Each sign shall be no more than thirty-two (32) square feet in area. There shall be no more than thirty-two (32) square feet of area for any eight (8) linear feet of fence. The maximum height shall not exceed eight (8) feet above grade. [ORD 4708; May 2017]

3. **Temporary Signs in Commercial, Industrial or Multiple Use zones (Private Property).** In any Commercial, Industrial or Multiple Use zoning district, the following temporary signs are allowed under the following circumstances:

A. If Property Is for Sale or Rent. When properties or buildings are for sale or rent, the owner or the owner's authorized representative may erect the following signs:

1. One (1) double-faced wall or freestanding sign of thirty-two (32) square feet per face, or two (2) thirty-two (32) square foot single-faced signs. The sign(s) shall be removed no later than thirty (30) days after sale, lease or occupancy of the property, or one (1) year from the first occupancy, whichever comes first. These signs shall not exceed eight (8) feet in height. For properties that have more than 300 feet of frontage along a street, an additional sign, subject to the same size and height limits, may be placed on site for the same period. [ORD 4708; May 2017]

B. If a New Business occupies a Building or when a Building Permit has been issued by the City for Tenant Improvements. While improvements to a building are under construction, the building owner or authorized representative may erect:

60.40.45.3.B.

1. One (1) banner per business, either from the date of issuing building permits to four (4) weeks after issuing a Certificate of Occupancy; or, if no building permit is issued, four (4) weeks from occupancy of the new business. Banners shall not exceed thirty-two (32) square feet in size and shall be affixed to exterior wall(s) of the building(s) so as to lie flat. [ORD 4708; May 2017]

C. If Property has received Land Use approval for New Development or Redevelopment. While property is pending site development or under construction, the owner or the owner's authorized representative may erect the following signs:

1. One (1) double-faced wall or freestanding sign of thirty-two (32) square feet per face, or two (2) thirty-two (32) square foot, single-faced signs. The sign(s) shall be removed no later than thirty (30) days after the issuance of the final certificate of occupancy. These signs may be externally illuminated. [ORD 4708; May 2017]
2. In addition to the above, the Planning Director may authorize additional temporary signs as determined necessary for traffic control and safety when approved through a Temporary Use permit. [ORD 4708; May 2017]

4. **Temporary Portable Signs in Public Right-of-Way.** Signs on the ground within the public right-of-way, shall be permitted in accordance with the following standards:

A. Placement Standards:

1. Temporary signs shall be placed in accordance with the Portable Sign in Right-of-Way Graphic. For signs placed within the right-of-way with an adjacent sidewalk, the sign shall not be placed within six (6) inches of the face of the curb and shall provide a clearance width of at least four (4) feet on the sidewalk to ensure safe pedestrian passage. For signs placed in the right-of-way without an adjacent sidewalk, the sign shall be located outside of any street pavement and shall not be located closer than four (4) feet from the travel lane, turning lane, shoulder, parking lane or bicycle lane. [ORD 4708; May 2017]

60.40.45.4.A.

2. Temporary signs shall not be placed in parking spaces, pedestrian pathways, bicycle paths, street corners, transit stop areas, ADA accessible curb ramps, ADA accessible parking spaces, at building exits or fire escapes, or any portion of the street (automobile and bicycle travel lanes, shoulder, medians, traffic islands, and parking areas). Temporary signs also shall not be placed in a way that impedes or hinders the vision of drivers or bicyclists. Any temporary sign shall be located entirely outside of the area of a right-of-way corner that is between the curb and the lines created by extending the property line to the curb face. Signs placed within the right-of-way shall not obstruct traffic control signs or devices. [ORD 4708; May 2017]
3. In addition to the above, temporary portable signs shall be placed within twenty (20) feet of an overhead existing light source that provides at least one foot-candle of illumination at the location where sign(s) are placed. [ORD 4708; May 2017]

B. Number of Portable Signs allowed in Public Right-of-way:

1. In all Residential zones, temporary signs require a Special Event or Temporary Use approval. Portable off-site signs placed when properties are for sale are limited to the number and duration stated in Section 60.40.45. of this Code. [ORD 4708; May 2017]
2. In all Commercial, Industrial and Multiple Use zones except for RC-OT, RC-TO and RC-E, only one (1) temporary portable sign is allowed for every one hundred (100) linear feet of property frontage along a street. [ORD 4708; May 2017]

60.40.45.4.B.

3. In all Downtown Regional Center zones, including RC-OT, RC-TO and RC-E, the number of signs on the ground within the right-of-way is limited to the number of operating and accessible public entrances that face the right-of-way where the sign is located. Multiple doors at one (1) entrance are allowed one (1) sign. Multiple individuals or entities which share the same public entrance are allowed one (1) sign. [ORD 4708; May 2017]

C. Material, Design and Size Standards:

1. The sign shall be a T-frame or A-frame structure that is composed of wood, plastic or metal.
2. The sign width shall not exceed twenty-eight (28) inches.
3. The sign depth shall not exceed two (2) feet.
4. The sign height shall not exceed three (3) feet.
5. The display area shall not exceed twelve (12) square feet, and the sign face shall not exceed six (6) square feet. [ORD 4708; May 2017]

D. Duration of Placement in Public Right-of-way.

1. Portable signs in residential zones may be displayed on Saturday and Sundays, between the hours of 8:00 a.m. and 5:00 p.m. and from 6:00 a.m. to 1:00 p.m. on Tuesdays. Portable signs shall be removed at the end of each day. [ORD 4708; May 2017]
2. Portable signs in non-residential zones may be displayed all days of the week within the right-of-way between the hours of six 6:00 a.m. and 12:00 a.m., and shall be removed at the end of each day. [ORD 4708; May 2017]

- E. Temporary banners which extend over a roadway or are attached to utility or streetlight poles shall be permitted in the right-of-way upon issuance of a Special Event permit under the Municipal Code. [ORD 4708; May 2017]

60.40.50. Electronic Message Centers (EMCs). Electronic Message Centers may be erected and maintained only in compliance with the regulations in this Code. [ORD 4708; May 2017]

1. The following provisions shall apply to all Electronic Message Centers where allowed:
 - A. EMCs shall only be placed along streets that are classified as Arterials according to the Functional Classification Plan of the Beaverton Comprehensive Plan (Figure 6.4, Chapter 6).
 - B. EMCs are allowed only as a component to freestanding signs and shall not exceed fifty percent (50%) of the maximum sign face area for any one (1) sign as identified by the numeric standard of the zone.
 - C. EMCs shall remain in a static display where the frame effect does not appear to flash, dissolve, fade, scroll, travel, contain animation, portray blinking or chasing lights or otherwise create continuously changing images. The rate of change from one (1) frame to another, shall be no more frequent than every eight (8) seconds and the actual frame change shall be accomplished in a transition period of two (2) seconds or less. Terms applied in this regulation are further defined in Electronic Message Center Technical Definitions, Chapter 90.
 - D. EMCs shall not operate at illumination levels of more than 0.3 foot candles above ambient light, as measured using a foot-candle meter at a pre-set distance. The pre-set distances to measure the foot-candles are calculated using the following table:

| Sign Area Versus Measurement Distance | |
|---------------------------------------|----------|
| Area of Sign | Distance |
| Less than or equal to 10 square feet | 32 feet |
| 11 to 15 square feet | 39 feet |
| 16 to 20 square feet | 45 feet |
| 21 to 25 square feet | 50 feet |
| 26 to 30 square feet | 55 feet |
| Greater than 30 square feet | 60 feet |

All measurements shall be taken facing the sign structure with the light meter pointed at the sign. The measurement distance can be rounded to the nearest whole number.

- E. All permitted EMCs shall be equipped with a sensor or other device that automatically determines the ambient illumination and shall be either programmed to automatically dim according to ambient light conditions, or manually adjusted to comply with subsection (D) above.

60.40.50.1.

F. Applications for EMCs shall include a statement by a licensed engineer certifying that the lighting will comply with the lighting standards of this Code. Along any property line where the abutting use is residential, the maximum permitted illumination from EMC is 0.5 foot-candles, or 0.3 foot-candles above ambient light as measured pursuant to the table in (D) of this section, whichever is less.

2. Allowed Locations for EMCs. EMCs are allowed in all Commercial, Industrial, Residential and Multiple Use zones under the following circumstances and standards:

A. In residential zones (R-1, R-2, R-4, R-5, R-7 and R-10) EMCs must comply with the following standards:

1. The property where the EMC is located must be at least ten (10) acres in size and developed for a non-residential use. This standard applies to the combined area of multiple abutting properties under the same ownership and for the same use if the combined area is at least ten (10) acres in size.
2. No more than one EMC is allowed per property as a component of a freestanding sign, subject to the sign height and size standards of the zone for freestanding signs.
3. The EMC sign shall be located at a minimum distance of sixty (60) feet from any abutting property line where the abutting use is residential.

B. In commercial and industrial zones (NS, CS, GC, CC, OI, OI-NC and IND) EMCs must comply with the following standards:

1. The property where the EMC is located must be at least three (3) acres in size and developed for a non-residential use. This standard applies to the combined area of multiple abutting or adjacent properties under the same ownership.
2. No more than one (1) EMC is allowed as a component of a free-standing sign, subject to the sign height and size standards of the zone.

60.40.50.2.B.

3. EMCs shall not be allowed as a component of a nonconforming sign unless the sign is brought into compliance with the standards of this Code.

C. In multiple use zones (SC-S, SC-HDR, SC-E, SC-MU, TC-HDR, TC-MU, RC-OT, RC-E, RC-TO, C-WS and OI-WS) EMCs must comply with the following standards:

1. The property where the EMC is located must be at least three (3) acres in size and developed for a non-residential use. This standard applies to the combined area of multiple abutting or adjacent properties under the same ownership.
2. No more than one EMC is allowed as a component of a free-standing sign, subject to the sign height and size standards of the zone.
3. EMCs shall not be allowed as a component of a nonconforming sign unless the sign is brought into compliance with the standards of this Code.

60.40.55. Nonconforming and Illegal Signs.

1. The City may require, as a condition of a sign permit or as a condition of any development approval on property that is the site of a preexisting nonconforming sign, that the nonconforming sign(s) be removed, reconstructed, or replaced. [ORD 4708; May 2017]
2. Any sign installed or placed in the public right-of-way or on City-owned real property, except in conformance with the requirements of this Code, is hereby declared to be a public nuisance and may be removed by the Director as follows:
 - A. Immediate confiscation without prior notice to the owner of the sign.
 - B. The city shall store any sign that has been confiscated for a period of thirty (30) calendar days from the time the person responsible for the sign is notified as provided in subsection C below.

60.40.55.2.

- C. If a sign includes the telephone number or address of the sign owner of the sign or of the person or business that is the subject of the sign text, the City shall contact the person or business by telephone or by mail and advise that the City believes that:
1. The sign was found in the public right-of-way or City-owned property;
 2. No permit was issued for the placement of the sign, and the sign is not lawfully permitted to be in such location;
 3. The communication shall advise the person or business that the City has confiscated the sign and will destroy the sign after thirty (30) calendar days from the date of notification, unless the sign is claimed and any citation fees are paid in full.

If the telephone number and mailing address of the sign owner or other appropriate party for notification are unknown, the City shall retain the sign for a period of fourteen (14) calendar days to permit the sign owner or appropriate party to notice that the sign has been removed and attempt to recover the sign from the City. [ORD 4708; May 2017]

60.45. SOLAR ACCESS PROTECTION. [ORD 3619, September 1988]**60.45.05. Purpose.**

This ordinance has been developed to provide solar access protection to new development in subdivisions, to new and remodeled single family homes, to structures within Single Family zoning districts, and to homes which make beneficial use of solar energy.

1. To promote energy conservation and the wise use of the sun as a renewable resource.
2. To implement provisions of the Beaverton comprehensive plan encouraging solar energy.
3. To provide a means of encouraging investment in solar design and solar equipment.

THE FOLLOWING FIGURES ARE REFERENCED THROUGHOUT THE TEXT PERTAINING TO SOLAR ACCESS PROTECTION:

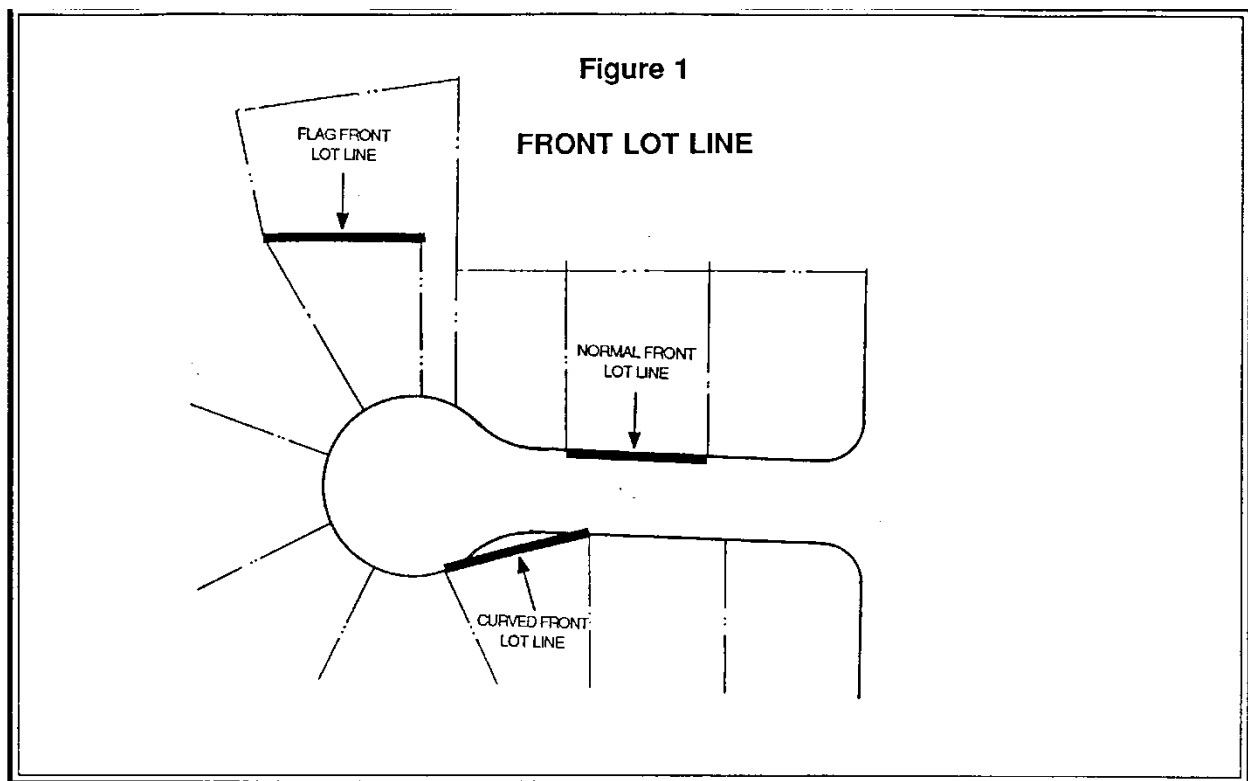


Figure 2

NORTHERN LOT LINE

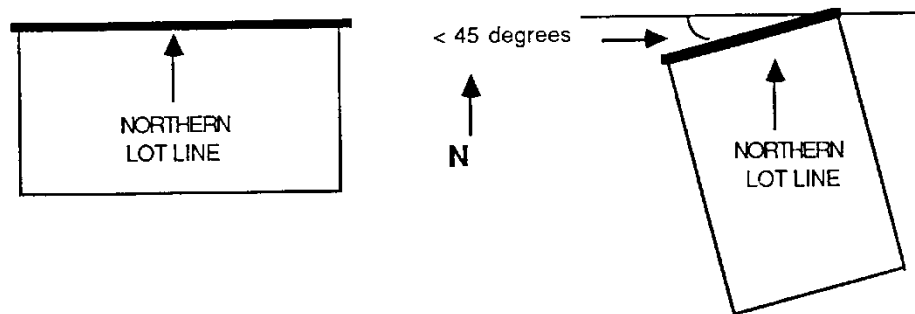


Figure 3

NORTH-SOUTH DIMENSION OF THE LOT

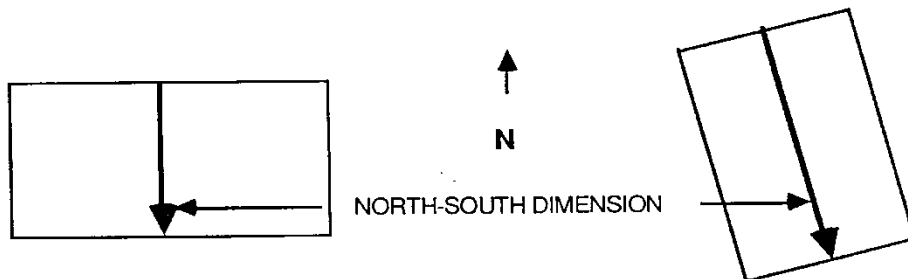


Figure 4

HEIGHT OF THE SHADE POINT OF THE STRUCTURE

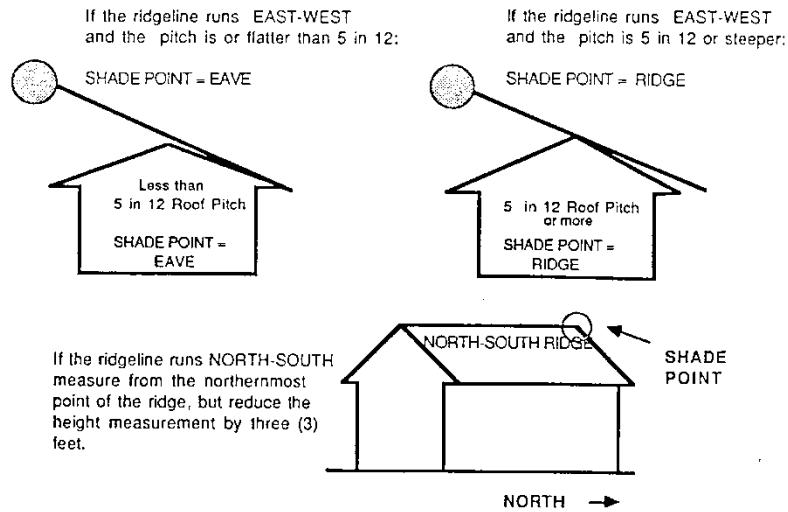
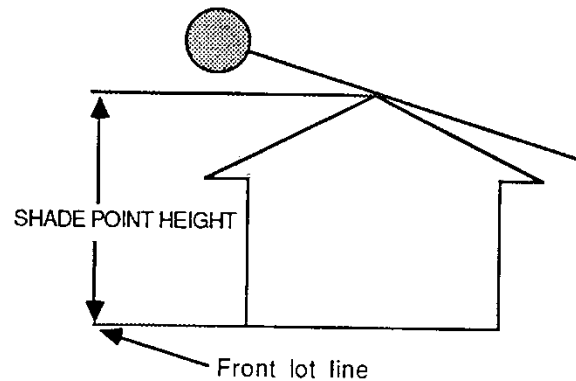


Figure 5

SHADE POINT HEIGHT

Measure to average grade at the front lot line.



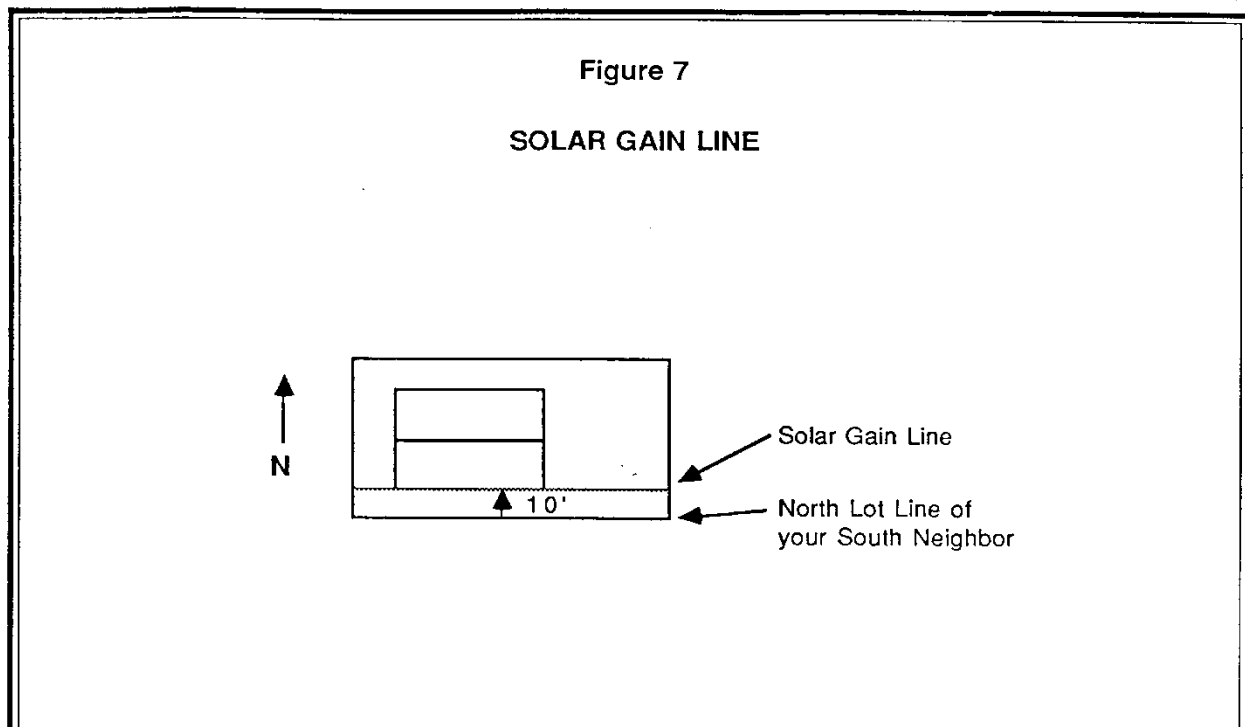
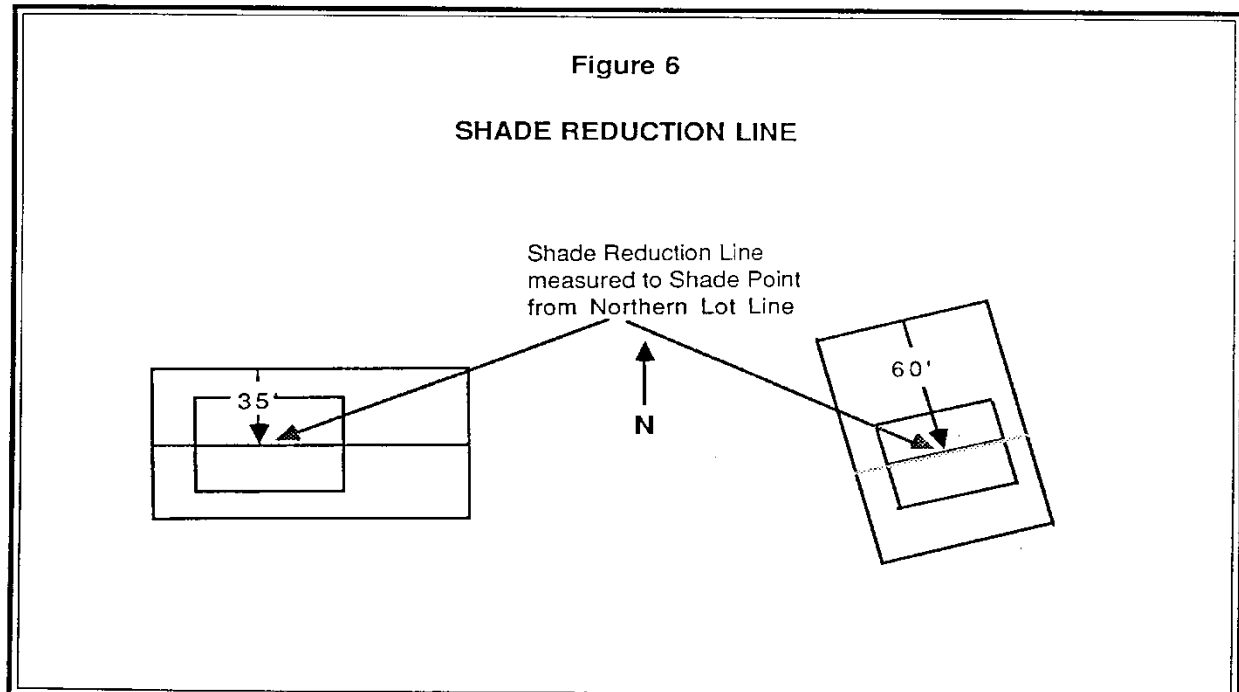
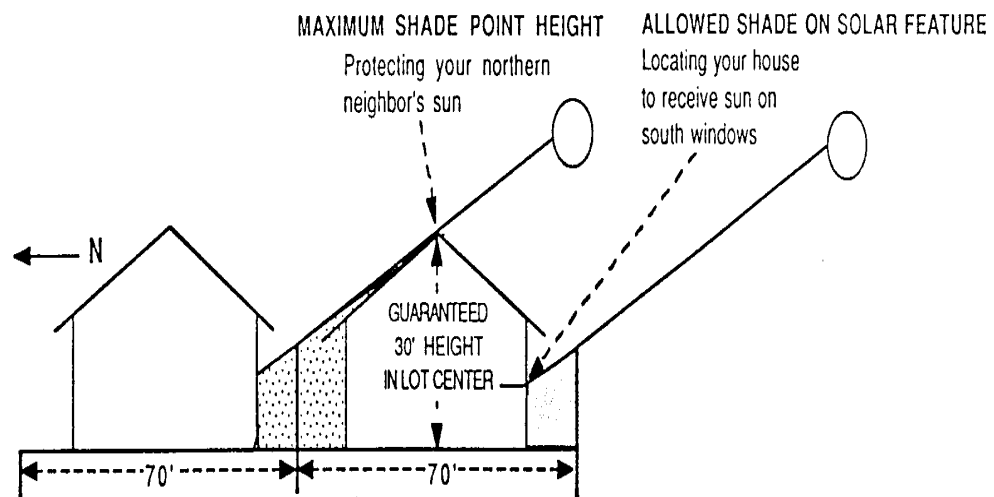
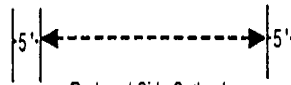


Figure 8

SOLAR BALANCE POINT STANDARD



Standard Side Setbacks



Reduced Side Setbacks

SETBACK ADJUSTMENTS IF NEEDED
TO MEET SOLAR STANDARDS

Figure 9

SOLAR LOT OPTION 1: BASIC REQUIREMENTS

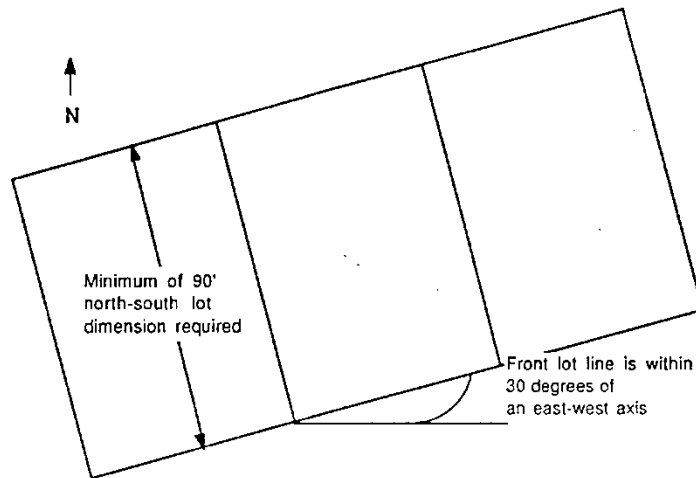


Figure 10

SOLAR LOT OPTION 2: PROTECTED SOLAR BUILDING LINE

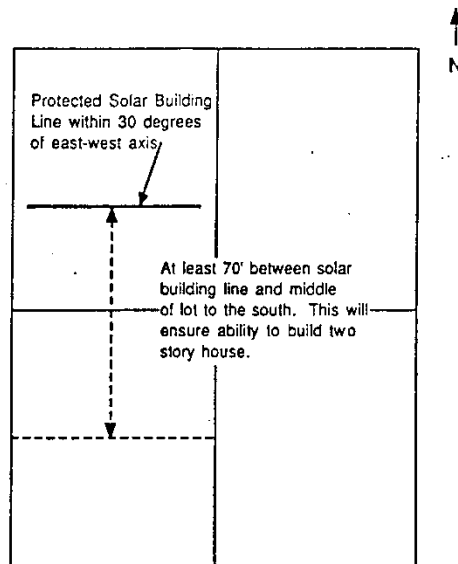


Figure 11

SOLAR ACCESS HEIGHT LIMIT

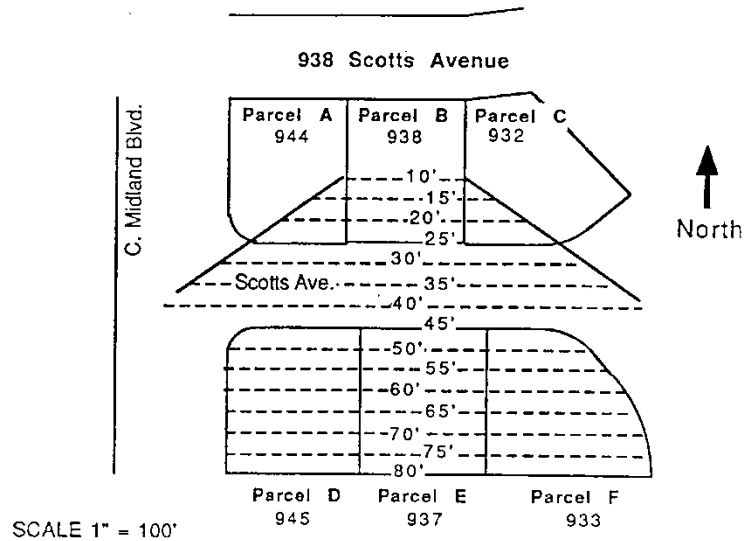
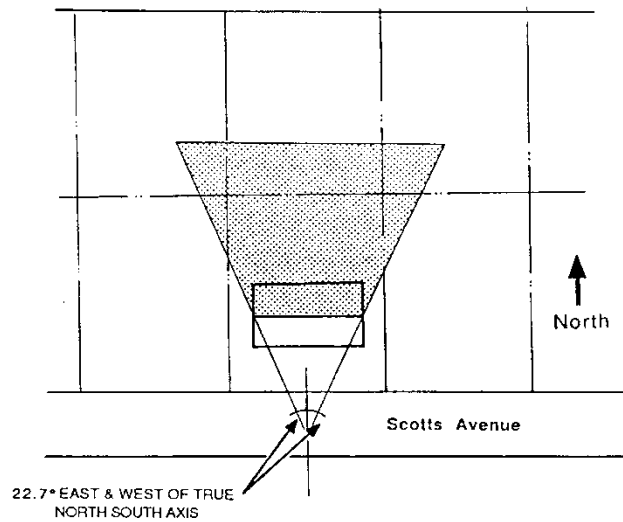


Figure 12

SHADOW PATTERN



60.45.10. Solar Access for New Development.

1. **Purpose.** The purposes of the solar access ordinance for new development are to ensure that land is divided so that structures can be oriented to maximize solar access and to minimize shade on adjoining properties from structures and trees.
2. **Applicability.** The solar design standard in subsection 3., below, shall apply to subdivisions and partitions in the R10, R7 and R5 zones, except to the extent the Director finds that the applicant has shown one or more of the conditions listed in subsections 4. and 5., below, exist, and exemptions or adjustments provided for therein are warranted. [ORD 4584; June 2012]
3. **Design Standard.** At least 80 percent of the lots in a development subject to this ordinance shall comply with one or more of the options in this section.
 - A. Basic Requirement (see Figure 9). A lot complies with this Section if it:
 1. Has a north-south dimension of 90 feet or more; and
 2. Has a front lot line that is oriented within 30 degrees of a true east-west axis.
 - B. Protected Solar Building Line Option (see Figure 10). In the alternative, a lot complies with this Section if a solar building line is used to protect solar access as follows:
 1. A protected solar building line for the lot to the north is designated on the plat, or documents recorded with the plat; and
 2. The protected solar building line for the lot to the north is oriented within 30 degrees of a true east-west axis; and
 3. There is at least 70 feet between the protected solar building line on the lot to the north and the middle of the north-south dimension of the lot to the south, measured along a line perpendicular to the protected solar building line; and

60.45.10.3.B.

4. There is at least 45 feet between the protected solar building line and the northern edge of the buildable area of the lot, or habitable structures are situated so that at least 80 percent of their south-facing wall will not be shaded by structures or non-exempt vegetation.

C. Performance Option. In the alternative, a lot complies with this Section if:

1. Habitable structures built on that lot will have their long axis oriented within 30 degrees of a true east-west axis and at least 80% of their ground floor south wall protected from shade by structures and non-exempt trees; or
2. Habitable structures built on that lot will have at least 32% of their glazing and 500 square feet of their roof area which faces within 30 degrees of south and is protected from shade by structures and non-exempt trees.

4. **Exemptions from Design Standard.** A development is exempt from this Section if the Director finds the applicant has shown that one or more of the following conditions apply to the site. A development is partially exempt from this Section to the extent the Director finds the applicant has shown that one or more of the following conditions apply to a corresponding portion of the site. If a partial exemption is granted for a given development, the remainder of the development shall comply with this Section.

- A. Slopes. The site or a portion of the site for which the exemption is sought, is sloped 20 percent or more in a direction greater than 45 degrees east or west of true south, based on a topographic survey by a licensed professional land surveyor.
- B. Off-Site Shade. The site, or a portion of the site for which the exemption is sought, is within the shadow pattern of off-site features, such as but not limited to structures, topography, or non-exempt vegetation, which will remain after development occurs on the site from which the shade is originating.
 1. Shade from an existing or approved off-site dwelling in a single family residential zone and from topographic features is assumed to remain after development of the site.

60.45.10.4.B.

2. Shade from an off-site structure in a zone other than a single family residential zone is assumed to be the shadow pattern of the existing or approved development thereon or the shadow pattern that would result from the largest structure allowed at the closest setback on adjoining land, whether or not that structure now exists.
3. Shade from off-site vegetation is assumed to remain after development of the site if: the trees that cause it are situated in a required setback; or they are part of a developed area, public park, or legally reserved open space; or they are in or separated from the developable remainder of a parcel by an undevelopable area or feature; or they are part of landscaping required pursuant to local law.
4. Shade from other off-site sources is assumed to be shade that exists or that will be cast by development for which applicable local permits have been approved on the date a complete application for the development is filed.

C. On-Site Shade. The site, or a portion of the site for which the exemption is requested, is:

1. Within the shadow pattern of on-site features such as, but not limited to structures and topography which will remain after the development occurs; or
2. Contains non-exempt trees at least 30 feet tall and more than 6 inches in diameter measured 4 feet above the ground which have a crown cover over at least 80% of the site or relevant portion. The applicant can show such crown cover exists using a scaled survey or an aerial photograph.

If granted, the exemption shall be approved subject to the condition that the applicant preserve at least 50% of the trees that cause the shade that warrants the exemption. The applicant shall file a note on the plat or other documents in the office of the County Recorder binding the applicant to comply with this requirement. The City of Beaverton shall be made a party of any covenant or restriction created to enforce any provision of this ordinance. The covenant or restriction shall not be amended without written City approval.

60.45.10.

- 5. Adjustments to Design Standard.** The Director shall reduce the percentage of lots that must comply with this Section to the minimum extent necessary if it finds the applicant has shown one or more of the following site characteristics apply.

A. Density and Cost. If the design standard in this Section is applied, either the resulting density is less than that proposed, or on-site site development costs (e.g. grading, water, storm drainage and sanitary systems, and roads) and solar related off-site site development costs are at least 5% more per lot than if the standard is not applied. The following conditions, among others, could constrain the design of a development in such a way that compliance with this Section would reduce density or increase per lot costs in this manner. The applicant shall show which if any of these or other similar site characteristics apply in an application for a development.

1. The portion of the site for which the adjustment is sought has a natural grade that is sloped 10 percent or more and is oriented greater than 45 degrees east or west of true south based on a topographic survey of the site by a professional land surveyor.
2. There is a significant natural feature on the site, identified as such in the comprehensive plan that prevents given streets or lots from being oriented for solar access, and it will exist after the site is developed. [ORD 4584; June 2012]
3. Existing road patterns must be continued through the site or must terminate on-site to comply with applicable road standards or public road plans in a way that prevents given streets or lots in the development from being oriented for solar access.
4. An existing public easement or right-of-way prevents given streets or lots in the development from being oriented for solar access. [ORD 4071; November 1999]

60.45.10.5.

- B. Development Amenities. If the design standard in this Section applies to a given lot or lots, significant development amenities that would otherwise benefit the lot(s) will be lost or impaired. Evidence that a significant diminution in the market value of the lot(s) would result from having the lot(s) comply with this Section is relevant to whether a significant development amenity is lost or impaired.
- C. Existing Shade. Non-exempt trees at least 30 feet tall and more than 6 inches in diameter measured 4 feet above the ground have a crown cover over at least 80% of the lot and at least 50% of the crown cover will remain after development of the lot. The applicant can show such crown cover exists using a scaled survey of non-exempt trees on the site or using an aerial photograph.
1. Shade from non-exempt trees is assumed to remain if: the trees are situated in a required setback; or they are part of an existing or proposed park, open space, or recreational amenity; or they are separated from the developable remainder of their parcel by an undevelopable area or feature; or they are part of landscaping required pursuant to local law; and they do not need to be removed for a driveway or other development.
 2. Also, to the extent the shade is caused by on-site trees on land owned by the applicant, it is assumed to remain if the applicant files in the office of the County Recorder a covenant binding the applicant to retain the trees causing the shade on the affected lots.
6. **Protection from Future Shade.** Structures and non-exempt vegetation must comply with the Solar Balance Point requirements for existing lots (Section 60.45.15.) if located on a lot that is subject to the solar design standard in this Section, or if located on a lot south of and adjoining a lot that complies with this Section. The applicant shall file a note on the plat or other documents in the office of the County Recorder binding the applicant and subsequent purchasers to comply with the future shade protection
7. **Process for Approval.** Requirements for meeting the provisions of solar access protection shall be processed simultaneously with other application requirements as provided by this ordinance.

60.45.15. Solar Balance Point.

- 1. Purpose.** The purposes of this ordinance are to promote the use of solar energy, to minimize shading of structures and accessory structures, and, where applicable, to minimize shading of structures by trees.
- 2. Applicability.** This ordinance applies to an application for a building permit for all structures in R10, R7 and R5 zones, except to the extent the applicant has shown that one or more of the conditions listed in subsection .5. or .6., below, exists, and exemptions or adjustments provided for therein are warranted. In addition, non-exempt vegetation planted on lots subject to the provisions of Section 60.45.10.6. for new development shall comply with the shade point height standards as provided in subsections 4. and 5., below, of this ordinance. [ORD 4584; June 2012]
- 3. Solar Site Plan Required.** An applicant for a building permit for a structure subject to this ordinance shall submit a site plan that shows the maximum shade point height allowed under subsection 4., below, and the allowed shade on the proposed structure's solar features as provided in subsection 7., below. If applicable, the site plan also shall show the solar balance point for the structure as provided in subsection 8., below.

60.45.15.

4. **Maximum Shade Point Height Standard.** The height of the shade point shall comply with either subsection 4.A. or 4.B. below.

- A. Basic Requirement. The height of the shade point shall be less than or equal to the height specified in Table A or computed using the following formula. If necessary, interpolate between the 5 foot dimensions listed in Table A.

$$H = \frac{(2 \times \text{SRL} - N + 150)}{5}$$

Where: H = the maximum allowed height of the shade point (see Figure 4 and Figure 5);

SRL = shade reduction line (the distance between the shade point and the northern lot line, see Figure 6); and

N = the north-south lot dimension, provided that a north-south lot dimension more than 90 feet shall use a value of 90 feet for this section.

Provided, the maximum allowed height of the shade point may be increased one foot above the amount calculated using the formula or Table A for each foot that the average grade at the rear property line exceeds the average grade at the front property line.

60.45.15.4.

TABLE A**MAXIMUM PERMITTED SHADE POINT HEIGHT**
(In Feet)

| Distance to Shade Reduction Line from northern lot line (in feet) | North-south lot dimension (in feet) | | | | | | | | | | | | |
|---|-------------------------------------|----|----|----|----|----|----|----|----|----|----|----|----|
| | 100+ | 95 | 90 | 85 | 80 | 75 | 70 | 65 | 60 | 55 | 50 | 45 | 40 |
| 70 | 40 | 40 | 40 | 41 | 42 | 43 | 44 | | | | | | |
| 65 | 38 | 38 | 38 | 39 | 40 | 41 | 42 | 43 | | | | | |
| 60 | 36 | 36 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | | | | |
| 55 | 34 | 34 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | | | |
| 50 | 32 | 32 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 |
| 45 | 30 | 30 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 |
| 40 | 28 | 28 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 |
| 35 | 26 | 26 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 |
| 30 | 24 | 24 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 |
| 25 | 22 | 22 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 |
| 20 | 20 | 20 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 15 | 18 | 18 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 10 | 16 | 16 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 5 | 14 | 14 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 |

- B. Performance Option. The proposed structure, or applicable non-exempt vegetation, will shade not more than 20 percent of the south-facing glazing of existing habitable structure(s), or, where applicable, the proposed structure or non-exempt vegetation comply with Section 60.45.10.3.B. or 60.45.10.3.C. of the solar access provisions for new development. If Section 60.45.10.3.B., Protected Solar Building Line Option, is used, non-exempt trees and the shade point of structures shall be set back from the protected solar building line 2.5 feet for every 1 foot of height of the structure or of the mature height of non-exempt vegetation over 2 feet.

60.45.15.

5. Exemption from the Maximum Shade Point Height Standard.

The Director shall exempt a proposed structure or non-exempt vegetation from subsections 3. and 4., above, of this ordinance if the applicant shows that one or more of the conditions in this section exists, based on plot plans or plats, corner elevations or other topographical data, shadow patterns, suncharts or photographs or substantial evidence submitted by the applicant.

- A. Exempt Lot. When created the lot was not required to comply with the provisions of Section 60.45.10. (Solar Access for New Development). [ORD 4584; June 2012]
- B. Pre-Existing Shade. The structure or applicable non-exempt vegetation will shade an area that is shaded by one or more of the following:
 - 1. An existing or approved building or structure;
 - 2. A topographic feature;
 - 3. A non-exempt tree that will remain after development of the site. It is assumed a tree will remain after development if it: is situated in a building setback required by local ordinance; is part of a developed area or landscaping required by the City, a public park or landscape strip, or legally reserved open space; is in or separated from the developable remainder of a parcel by an undevelopable area or feature; or is on the applicant's property and not affected by the development. A duly executed covenant also can be used to preserve trees causing such shade.
- C. Slope. The site has an average slope that exceeds 20 percent in a direction greater than 45 degrees east or west of true south based on a topographic survey by a licensed professional land surveyor.

60.45.15.5.

D. Insignificant Benefit. The proposed structure or non-exempt vegetation shades one or more of the following:

1. An undevelopable area; or
2. The wall of an unheated space, such as a typical garage; or
3. Less than 20 square feet of south-facing glazing.

E. Public Improvement. The proposed structure is a publicly owned improvement.

6. Adjustments to the Maximum Shade Point Height Standard. The Director shall increase the maximum permitted height of the shade point determined using subsection 4., above, to the extent it finds the applicant has shown one or more of the following conditions exist, based on plans or plats, corner elevations or other topographical data, shadow patterns, sun charts or photographs, or other substantial evidence submitted by the applicant.

A. Physical Conditions. Physical conditions preclude development of the site in a manner that complies with subsection 4., above, due to such things as a lot size less than 3,000 square feet, unstable or wet soils, or a drainage way, public or private easement, or right of way.

B. Conflict between the Maximum Shade Point Height and Allowed Shade on the Solar Feature Standards. A proposed structure may be sited to meet the solar balance point standard described in subsection 8., below, or be sited as near to the solar balance point as allowed by subsection 8., below; if:

1. When the proposed structure is sited to meet the maximum shade point height standard determined using subsection 4., above, its solar feature will potentially be shaded as determined using subsection 7., below; and

60.45.15.6.B.

2. The application includes a form provided by the City that:
 - a. Releases the applicant from complying with subsection 4., above, and agrees that the proposed structure may shade an area otherwise protected by subsection 4., above.
 - b. Releases the City from liability for damages resulting from the adjustment; and
 - c. Is signed by the owner(s) of the properties that would be shaded by the proposed structure more than allowed by the provisions of subsection 4., above.
3. Before the Building Official issues a permit for a proposed structure for which an adjustment has been granted pursuant to subsection 6.B., above, the applicant shall file the form provided for in subsection 6.B.2. above in the office of the County Recorder with the deeds to the affected properties.

7. Analysis of Allowed Shade on Solar Feature.

- A. The applicant is exempt from this section if the lot(s) south of and adjoining the applicant's property is exempt from subsection 4., above, of this ordinance.
- B. Applicants shall be encouraged to design and site a proposed habitable structure so that the lowest height of the solar feature(s) will not be shaded by buildings or non-exempt trees on lot(s) to the south. The applicant shall complete the following calculation procedure to determine if the solar feature(s) of the proposed structure will be shaded. To start, the applicant shall choose which of the following sources of shade originating from adjacent lot(s) to the south to use to calculate the maximum shade height at the north property line:
 1. Existing structure(s) or non-exempt trees; or

60.45.15.7.B.

2. The maximum shade that can be cast from future buildings or non-exempt trees, based on Table C. If the lot(s) to the south can be further divided, then the north-south dimension shall be assumed to be the minimum lot width required for a new lot in that zone.
- C. The height of the lowest point of any solar feature of the proposed structure shall be calculated with respect to either the average elevation or the elevation at the midpoint of the front lot line of the lot to the south.
- D. The applicant shall determine the height of the shadow that may be cast upon the applicant's solar feature by the source of shade selected in subsection b. by using the following formula or Table B.

$$\text{SFSH} = \text{SH} - (\text{SGL}/2.5)$$

Where: SFSH = The allowed shadow height on the solar feature (see Figure 8).

SH = the height of the shade at the northern lot line of lot(s) to the south as determined in subsection 7.b., above.

SGL = the solar gain line (the distance from the solar feature to the northern lot line of adjacent lot(s) to the south, see Figure 7).

60.45.15.7.D.

TABLE B**MAXIMUM PERMITTED HEIGHT OF SHADOW AT SOLAR FEATURE**
(In Feet)Distance from
Solar Gain
Line to Lot
Line (In Feet)Allowed Shade Height at Northern Lot Line
of Adjacent Lot(s) to the South (In Feet)

| | 22 | 21 | 20 | 19 | 18 | 17 | 16 | 15 | 14 | 13 | 12 |
|----|----|----|----|----|----|----|----|----|----|----|----|
| 50 | 2 | 1 | | | | | | | | | |
| 45 | 4 | 3 | 2 | 1 | | | | | | | |
| 40 | 6 | 5 | 4 | 3 | 2 | 1 | | | | | |
| 35 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | | | | |
| 30 | 10 | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 | |
| 25 | 12 | 11 | 10 | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 |
| 20 | 14 | 13 | 12 | 11 | 10 | 9 | 8 | 7 | 6 | 5 | 4 |
| 15 | 16 | 15 | 14 | 13 | 12 | 11 | 10 | 9 | 8 | 7 | 6 |
| 10 | 18 | 17 | 16 | 15 | 14 | 13 | 12 | 11 | 10 | 9 | 8 |
| 5 | 20 | 19 | 18 | 17 | 16 | 15 | 14 | 13 | 12 | 11 | 10 |

Table C may be used to determine (SH) in the above formula.

TABLE C

| | North-south lot dimension of adjacent lot(s) to the south | | | | | | | | | | | | | |
|--|---|----|----|----|----|----|----|----|----|----|----|----|----|--|
| | 100 | 95 | 90 | 85 | 80 | 75 | 70 | 65 | 60 | 55 | 50 | 45 | 40 | |
| Allowed shade height at the north property line of adjacent lot(s) to south | 12 | 12 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | |

- E. If the allowed shade height on the solar feature calculated in subsection D. is higher than the lowest height of the solar feature calculated in subsection C., the applicant shall be encouraged to consider any changes to the house design or location which would make it practical to locate the solar feature so that it will not be shaded in the future.

60.45.15.

8. **Solar Balance Point.** If a structure does not comply with the maximum shade point height standard in subsection 4., above, and the allowed shade on a solar feature standard in subsection 7., above, then the solar balance point of the lot shall be calculated (see Figure 8). The solar balance point is the point on the lot where a structure would be the same from complying with both of these standards.
9. **Yard Setback Adjustment.** The City shall grant an adjustment to the side, front and/or rear yard setback requirement(s) by a maximum of 50% to build a proposed structure so it complies with either the shade point height standard in subsection 4., above, the allowed shade on a solar feature standard in subsection 7., above, or the solar balance point standard in subsection 8., above, as provided herein (see Figure 8). This adjustment shall apply only if necessary for a structure to comply with the applicable provisions of this ordinance and only so long as the adjustment does not conflict with specific conditions placed upon the property in question, such as easements. The following list illustrates yard adjustments permitted under this section: [ORD 3838; February 1993]
 - A. R5 Zone.
 1. A front yard setback may be reduced to not less than 15 feet.
 2. A rear yard setback may be reduced to not less than 10 feet.
 3. A side yard setback may be reduced to not less than 3 feet.
 - B. R7 Zone.
 1. A front yard setback may be reduced to not less than 15 feet.
 2. A rear yard setback may be reduced to not less than 10 feet.
 3. A side yard setback may be reduced to not less than 3 feet.
 - C. R10 Zone.
 1. A front yard setback may be reduced to not less than 15 feet.
 2. A rear yard setback may be reduced to not less than 15 feet.
 3. A side yard setback may be reduced to not less than 5 feet.

60.45.15.

- 10. Application and Review Process.** An application for a building permit shall include the information necessary to meet the provisions of this ordinance. The Building Official shall refer the plan to the Director for approval prior to issuing a building permit, or the Director may delegate this responsibility for review and approval to the Building Official. This review shall consist of determining compliance with those sections reference in subsection 9. above. [ORD 3838; February 1993]

60.50. SPECIAL USE REGULATIONS.**60.50.03. Accessory Dwelling Unit.** [ORD 4048; July 1999]

1. **Purpose.** Accessory dwelling units are intended to increase the City's housing stock while minimizing neighborhood impacts, respecting the scale and design of detached dwelling residential neighborhoods, and maintaining their character. At the same time, accessory dwelling units are not intended to apply toward any minimum density requirements in other sections of this Code. [ORD 4224; August 2002]
2. **Requirements.** The following requirements are specific to the construction of an accessory dwelling unit and are intended to ensure that the accessory dwelling units are subordinate to the primary residence. Development standards of the underlying zone and the requirements in Section 40.05 Accessory Dwelling Unit apply. [ORD 4782; April 2020]
 - A. An accessory dwelling unit may be created in the following manner:
 1. Conversion of existing living area, attic, basement or garage;
 2. Adding floor area, subject to the limitations of the zoning district in which it is located;
 3. Constructing a new structure, attached structure, or manufactured home with an internal or detached accessory dwelling unit.
 - B. Size
 1. The proposed accessory dwelling unit is no more than fifty percent (50%) of the gross floor area of the primary detached dwelling or 800 square feet, whichever is greater.
 2. Accessory dwelling units that result from the conversion of a level or floor (e.g. basement, attic, or second story) of the primary dwelling are not subject to the size limitations in Section 60.50.03.2.B.1 and may occupy the entire level or floor.

60.50.03.2.B.

3. The floor area measurements are based on what the square footage of the primary dwelling and accessory dwelling unit will be after the accessory dwelling unit is created from the primary dwelling.

C. Parking.

1. Where the accessory dwelling unit is built on parking areas required for the primary dwelling, the required parking for the primary dwelling shall be replaced on site.

D. Location.

1. Accessory dwelling unit must be attached by the floor, ceiling, wall, or portion thereof to the primary unit or must be separated by 8-feet from the primary unit.
2. Accessory dwelling is not located over any easement.
3. Accessory dwelling units shall be built in accordance with state and local codes

[ORD 4224; August 2002]

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60.50.05. Accessory Uses and Structures. (Other than Accessory Dwelling Units) [ORD 4048; July 1999]

1. Structures or uses incidental and subordinate to the uses allowed as Permitted and Conditional Uses in any zone are allowed as accessory uses and structures subject to the provisions of this section. [ORD 4462; January 2008] [ORD 4474; March 2008] [ORD 4498; January 2009]
2. All accessory buildings must comply with the following provisions:
 - A. **Size.** For lots ten thousand (10,000) square feet or less, the combined footprint of all accessory structures may not exceed five hundred (500) square feet. For lots greater than ten thousand (10,000) square feet, the combined footprint may not exceed seven hundred (700) square feet. However, regardless of size, the lot coverage by all accessory structures shall be no more than twenty five (25) percent of a rear yard area; [ORD 4474; March 2008]
 - B. **Height.** Accessory structures shall not exceed one story and shall be no greater than fifteen (15) feet in height; [ORD 4474; March 2008]
 - C. They shall not be allowed in a required front yard;
 - D. They shall not be located within six (6) feet of main building for residential lots. Required separation distances for commercial, multiple use, and industrial zoned lots shall be determined by the applicable Building Code; [ORD 4224; August 2002] [ORD 4474; March 2008]
 - E. **Setbacks.** A structure with a height of eight feet or less shall be located no closer than three (3) feet to any lot line nor built over an easement. For each foot of height, or fraction thereof, in excess of eight feet, the accessory structure shall be set back one additional foot from all lot lines; [ORD 3293; November 1982]; [ORD 4224; August 2002] [ORD 4474; March 2008]

60.50.05.2.

- F. They shall cause no encroachment upon or interference with the use of any adjoining property or public right-of-way;
 - G. Attached accessory structures. When an accessory structure is attached to the main structure, such accessory structure shall be considered as part of the main structure. Attached means wall-to-wall or any permanent attachment, as determined by the Director; [ORD 4474; March 2008]
 - H. They shall be built in accordance with the applicable building codes as determined by the Building Official. [ORD 3293; November 1982] [ORD 4474; March 2008]
3. Examples of residential accessory uses. The following types of accessory structures or similar structures as determined by the Planning Director shall be permitted in districts where residential use types are allowed:
- A. A greenhouse or hothouse;
 - B. A guesthouse may be maintained accessory to a dwelling, provided there is no kitchen space or cooking facilities in the guesthouse;
 - C. Pools;
 - D. Children's playhouses and structures;
 - E. Sheds;
 - F. Barns;
 - G. Gazebos;
 - H. Solar and wind energy systems;
 - I. Recreation room;
 - J. Laundry facilities;
 - K. Garage;
 - L. Accessory storage.
 - M. Pump House;
 - N. Fenced Dog Run;
 - O. Dog Houses;
 - P. Tennis and other game courts.
[ORD 4474; March 2008]
4. Non-residential accessory uses. Accessory uses customarily associated with the principal commercial or industrial use shall be permitted where these commercial and industrial use types are authorized. [ORD 4474; March 2008]

60.50.05.

5. A conflict of interpretation concerning whether a use or structure is an accessory use or structure shall be resolved in accordance with the provisions of Section 10.20.
6.
 - A. The City Council may, by resolution, establish a list of uses found not to be accessory to specific Permitted Uses.
 - B. Prior to including a use on such list the City Council shall hold a public hearing and allow interested persons an opportunity to testify on the matter.
 - C. The City Council may delegate to the Planning Commission the authority to perform the functions authorized and required by this subsection.

[ORD 4474; March 2008]

60.50.10. Height Regulations. The height limitations contained in this Code do not apply to normal appurtenances placed on or extending above the roof level, such as spires, belfries, cupolas, chimneys, antennas, ventilators, elevator housing, or other structures; provided, however, that no structure shall be erected which fails to comply with any applicable state or federal law or regulation. Antennas for wireless communication facilities are not exempted by this section from the applicable height regulations as specified in this Code. [ORD 3293; November 1982] [ORD 4107; May 2000] [ORD 4248; May 2003] [ORD 4498; January 2009]

60.50.15. Projections into Required Yards and Public Right-of-Way. [ORD 3162; April 1980]

1. The following structures may project into required yards, but may not project into a utility easement without an encroachment permit, as issued by the City Attorney per the consent and approval of the City Engineer. [ORD 4584; June 2012]

:

- A. Paved terraces may project into required front, side or rear yards provided that no structures placed thereon shall violate other requirements of this ordinance.
- B. Unroofed landings and stairs may project into required front and rear yards only.

60.50.15.1.

- C. Window sills, belt courses, cornices, eaves and similar incidental architectural features may project not more than 2 feet into any required yard.
 - D. Open fire escapes shall not project more than 4 feet, 6 inches into any required yard.
 - E. Chimneys shall not project more than 24" into any required yard.
 - F. Bay windows without a foundation may project into the front and rear yard setback by not more than 2 feet and may not occupy more than 50 percent of any one wall plane of a structure. [ORD 3739; September 1990] [ORD 4397; August 2006]
2. Buildings within any of the Regional Center zoning districts (RC-TO, RC-OT, RC-E zones) may have the following projections into the public right-of-way; [ORD 3352; January 1984] [ORD 4058; September 1999] [ORD 4584; June 2012]
- A. Planters;
 - B. Awnings and Canopies; [ORD 4107; May 2000]
 - C. Ornamental and architectural features.

The type, size and other features of the projections may be approved by the appropriate decision making authority after receiving a recommendation from the Facilities Review Committee. The decision making authority may also impose reasonable conditions. [ORD 3162; April 1980] [ORD 4224; August 2002]

3. Except as Otherwise Permitted: [ORD 3293]
- A. No person shall obstruct any public right-of-way or any portion thereof or place or cause to be placed therein or thereon anything whatsoever tending to obstruct or interfere with the full and free use of such public right-of-way or in any degree interfere with the normal flow of pedestrian or vehicular traffic.
 - B. No person shall erect, construct, build, raise, place or maintain any post, pole, sign, wall, fence, tree, building structure or any other object in or upon any public right-of-way, except trees planted in planter strips.

60.50.15.3.

- C. No person in charge of property shall allow anything prohibited by this section or which otherwise restricts the public use of a sidewalk or parking strip abutting such property to remain there.

60.50.20. Fences. Fences in any district may be constructed at the lot line; provided, however, that fences shall comply with all applicable sight clearance standards established in the Engineering Design Manual and meet the following standards: [ORD 3162; April 1980] [ORD 3287; October 1982] [ORD 4365; October 2005] [ORD 4782; April 2020]

- 1. Fences and walls shall not exceed the following height:
 - A. Six (6) feet in a required front yard along designated Collector and Arterial streets.
 - B. Three (3) feet in height in a required front yard along all other street classifications.
 - C. Four (4) feet in height in a required front yard for required above ground stormwater facilities.
 - D. Eight (8) feet in height for all other yards.

60.50.25. Uses Requiring Special Regulation. In addition to other standards and requirements by this ordinance, all uses included in this section shall comply with the provisions stated herein. Should a conflict arise between the requirements of this section and other requirements of this ordinance, the more restrictive provision shall control.

1. Kennels, Riding Academies and Stables. Kennels, riding academies and stables shall be located not less than 200 feet from any lot line. Applications for such use when required by this ordinance shall include information which describes the applicant's intended actions to ensure that odors, dust, noise, and drainage from the use will not create a nuisance, hazard or health problem to adjoining property uses. [ORD 4584; June 2012]
2. Animal Hospitals. An animal hospital shall not be located within 100 feet of a lot in any Residential district. The applicant shall provide information which describes the measures and controls to be taken that are intended to prevent offensive noise and odor. No incineration of refuse shall be permitted on the premises. [ORD 4332; January 2005]
3. Cemetery, Crematory, Mausoleum, Columbarium. A cemetery, crematory, mausoleum, or columbarium shall be located to have a principal access to site by way of a street with a Collector or higher designation as established by the Comprehensive Plan.
4. Churches, Hospitals, or other Religious or Eleemosynary Institutions. In any residentially zoned property such uses shall be located on a street with a Collector or higher designation as established by the Comprehensive Plan. All buildings shall be set back a minimum of 30 feet from a side or rear property line abutting a Residential district. [ORD 3162; April 1980] [ORD 3739; September 1990]
5. Aircraft Landing Facilities. All aircraft landing facilities shall be so designed and so oriented, that the incidence of aircraft passing directly over dwellings during landing or take off is minimized. They shall be located so that traffic, both land and air, shall not severely impact neighboring uses. Applications shall describe the measures taken to prevent noise, vibrations, dust and glare. New aircraft landing facilities shall require a Conditional Use. Prior to obtaining approval for a landing facility, the applicant shall furnish proof of compliance with applicable State and Federal laws and regulations.

60.50.25.

6. Natural Resource Extraction.

- A. Any natural resource extraction operation shall require a Conditional Use. In addition to the information normally required for a Conditional Use application, the following shall also be supplied:
 - 1. Graphic (and legal) description of the area.
 - 2. Existing topographic contours (not more than 10 feet contour intervals).
 - 3. Finished topographic contours when extraction is completed (not more than 10 feet contour intervals).
 - 4. Existing and proposed buildings and structures on the site.
 - 5. Principal access points which will be used by truck and equipment, ingress and egress points, internal circulation, and anticipated traffic volume.
 - 6. Indication of the existing landscape features.
 - 7. Location and nature of other operations, if any, which are proposed to take place on the site.
- B. A narrative statement shall also be submitted with the application for a Conditional Use which shall set forth in detail the following information:
 - 1. Method of drainage.
 - 2. Method of fencing or barricading the petition area to prevent casual access.
 - 3. Estimated amount of material to be removed from the site.
 - 4. Estimated length of time necessary to complete the operation.

60.50.25.6.B.

5. Description of operations or processing which will take place on the site during and after the time and material is extracted.
6. Plan or program of regarding and reshaping the land for future use.
7. Proposed hours of operation.
8. Other pertinent information that may pertain to the particular site.
9. Method to abate overloading of trucks and consequent spillage upon highways.

C. General requirements.

1. Principal access to the site shall minimize the use of residential streets, and access roads shall be treated in a manner so as to make them dust free; further, where access roads intersect Arterials, suitable traffic controls shall be established.
2. A strip of land at the existing topographic level, and not less than 15 feet in width, shall be retained at the periphery of the site wherever the site abuts a public right-of-way. This periphery strip shall not be altered except for access points.
3. All banks shall be graded to a slope no steeper than two (2) units horizontal to one (1) unit vertical unless a soils report provides sufficient information to satisfy the City Engineer that a steeper slope would have long term stability. No concentrated drainage shall be directed onto any slope greater than 15 percent. Slope banks created at the working surface of the excavation shall be kept safe, but shall only need to conform to the above after work has ceased on that surface for a period of one year.

60.50.25.6.C.

4. a. No alteration to drainage flow onto, or out of property shall be made except as in accordance with a grading and drainage plan approved by the City Engineer. No water shall be retained on site by a dam rising above the natural contour of the site without a plan approved by the City Engineer.
 - b. No pit shall be excavated to a depth which will intersect an imaginary line, extending from the property line, at an angle of 45 degrees from the horizontal downward into the earth. This condition may be waived by the owner of property abutting said property line or by submittal of a soils report demonstrating, to the satisfaction of the City Engineer, that the surcharge which could be generated by a structure on said adjacent property is fully supported by a lesser requirement.
 7. Child Care or Day Care Facilities. Child care or day care facilities shall provide and thereafter maintain outdoor play areas with a minimum area of 100 square feet per child for one-third (1/3) the total licensed capacity of children. The Director may approve reduction of this requirement if the facility cares only for infants up to 6 months in age. In all districts, a fence of at least five (5) feet but not more than six (6) feet in height shall be provided separating the outdoor play area from abutting lots. [ORD 4584; June 2012] [ORD 4782; April 2020]

Facilities licensed for 40 or more children may be required to have a driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children. The Facilities Review Committee may recommend whether the special driveway design is required, or not. [ORD 4224; August 2002]

If a Conditional Use is required, in addition to that normally required for a Conditional Use the following information shall also be supplied:

- A. The maximum number of children the facility is proposed to be licensed to care for;
- B. Ages of the children to be cared for;

60.50.25.7.

- C. List of any exceptions to the rules governing standards for day care facilities the applicant will be applying for to the Children's Services Division. [ORD 3181, July 1980]

[ORD 4584; June 2012]

8. Utilities. The erection, construction, alteration, or maintenance by public utility or municipal or other governmental agencies of any electrical, gas, steam, potable and non-potable water transmission or distribution systems, collection, communication, supply or disposal system, including poles, towers, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, but not including buildings, shall be Permitted in any district [ORD 3293; November 1982] [ORD 4118; September 2000] [ORD 4584; June 2012] [ORD 4783; April 2020]
9. Drop Boxes. Recycling receptacles or charity drop boxes shall not be located in any Residential district or in any public right-of-way. Recycling receptacles or charity drop boxes are Permitted in any commercial or industrial zone.
10. Park and Ride Facilities. Approved off-street parking lots connected with a non-residential use may be used jointly as park and ride lots if, by determination of the Director after receiving a recommendation from the Facilities Review Committee, the park and ride use will not conflict with the parking needs of the site's principal use both in terms of traffic volume and hours of use, and as long as there are no specific conditions placed on the site by the Director, Planning Commission, or the City Council which would preclude such use. Park and ride lots as principal uses are Permitted in those zones allowing parking structures and surface parking lots. [ORD 3204; February 1981] [ORD 4224; August 2002]
11. Noise Levels. Noise levels shall meet the standards established by the State of Oregon Department of Environmental Quality. [ORD 3293; November 1982]
12. Air Quality. Air quality shall meet the standards established by the State of Oregon Department of Environmental Quality. [ORD 3293; November 1982]

60.50.25.

13. Public Art. Public Art as defined in Chapter 90 of the Development Code is permitted in all zoning districts when the following requirements are met, unless separately authorized through an adjustment or variance application, or Engineering Design Exception:
 - A. Does not exceed the maximum building height of the underlying zoning district.
 - B. In the public right-of-way, ADA requirements, and sight clearance requirements. [ORD 4782; April 2020]
14. Vehicle Camping. Vehicle camping, including parking spaces, storage and sanitary facilities, shall be located no less than 10 feet from any lot line. Where vehicle camping abuts a residential use, storage and sanitary facilities shall have a minimum setback of 20 feet from the property line that abuts the residential use. Vehicle camping shall not occupy pedestrian walkways, fire lanes or other emergency vehicle access areas, or the Vision Clearance Area, as described in the *Engineering Design Manual*. [ORD4779; March 2020]

60.55. TRANSPORTATION FACILITIES.

60.55.05. Purpose and Intent. It is the purpose and intent of this chapter to establish design standards and performance requirements for all streets and other transportation facilities constructed or reconstructed within the City of Beaverton.

60.55.10. General Provisions. [ORD 4302; June 2004]

1. All public and private transportation facilities shall be designed and improved in accordance with the standards of this code and the Engineering Design Manual and Standard Drawings. In addition, when development abuts or impacts a transportation facility under the jurisdiction of one or more other governmental agencies, the City shall condition the development to obtain permits required by the other agencies. [ORD 4782; April 2020]
2. In order to protect the public from potentially adverse impacts of the proposal, to fulfill an identified need for public services related to the development, or both, development shall provide traffic capacity, traffic safety, and transportation improvements in rough proportion to the identified impacts of the development. [ORD 4103; May 2000]
3. For applications that meet the threshold criteria of section 60.55.15. (Traffic Management Plan) or of section 60.55.20. (Traffic Impact Analysis), these analyses or limited elements thereof may be required.
4. The decision-making authority may impose development conditions of approval per Section 10.65.1. of this code. Conditions of approval may be based on the Traffic Management Plan and Traffic Impact Analysis. Additional street, bicycle, and pedestrian connections may also be required per 60.55.25. (Street and Bicycle and Pedestrian Connection Requirements).
5. Dedication of right-of-way shall be determined by the decision-making authority.
6. Traffic calming may be approved or required by the decision-making authority in a design of the proposed and/or existing streets within the Area of Influence or any additional locations identified by the City Engineer. Traffic calming measures shall be designed to City standards.

60.55.10.

7. Intersection performance shall be determined using the Highway Capacity Manual 2000 published by the Transportation Research Board. The City Engineer may approve a different intersection analysis method prior to use when the different method can be justified. Terms used in this subsection are defined in the Highway Capacity Manual 2000.

At a minimum, the impacts of development on a signalized intersection shall be mitigated to peak hour average control delay no greater than 65 seconds per vehicle using a signal cycle length not to exceed 120 seconds. The volume-to-capacity ratio for each lane group for each movement shall be identified and considered in the determination of intersection performance. The peak hour volume-to-capacity (V/C) ratio for each lane group shall be no greater than 0.98. Signal progression shall also be considered. If the intersection is under County or ODOT jurisdiction, the V/C ratio for each land group shall not exceed the V/C ratio imposed by that jurisdiction. [ORD 4706; May 2017]

At a minimum, the impacts of development on a two-way or an all-way stop-controlled intersection shall be mitigated to a peak hour average control delay of no greater than 45 seconds per vehicle.

If the existing control delay or volume-to-capacity ratio of an intersection is greater than the standards of this subsection, the impacts of development shall be mitigated to maintain or reduce the respective control delay or volume-to-capacity ratio.

- 60.55.15. Traffic Management Plan.** [ORD 4302; June 2004] Where development will add 20 or more trips in any hour on a residential street, a Traffic Management Plan acceptable to the City Engineer shall be submitted in order to complete the application. A residential street is any portion of a street classified as a Local Street or Neighborhood Route and having abutting property zoned R2, R4, R5, R7, or R10. [ORD 4584; June 2012]

1. For each development application that requires a Traffic Management Plan, the Plan shall identify:
 - A. The hours when the added trips from the development will be 20 or more vehicles per hour.

60.55.15.1.

- B. The existing volume of trips on the residential street during each of those same hours.
 - C. The volume of trips that the development will add on the residential street during each of those same hours.
 - D. Recommended traffic management strategies designed to City standards to mitigate the impacts of the increased trips attributed to the development. Potential traffic management strategies include, but are not limited to, any combination of speed humps, curb extensions, intersection treatments, and traffic control devices.
2. The Traffic Management Plan shall discuss whether the recommended improvements both on-site and off-site are justified, reasonably related to, and roughly proportional to the impacts of the proposed development and shall include information sufficient for the City to assess whether the proposed mitigation strategies are reasonably related and roughly proportional to the level of impact. [ORD 4103; May 2000]

60.55.20. Traffic Impact Analysis. [ORD 4103; May 2000] [ORD 4302; June 2004] For each development proposal that exceeds the Analysis Threshold of 60.55.20.2, the application for land use or design review approval shall include a Traffic Impact Analysis as required by this code. The Traffic Impact Analysis shall be based on the type and intensity of the proposed land use change or development and its estimated level of impact to the existing and future local and regional transportation systems.

1. **Engineer Certification.** The Traffic Impact Analysis shall be prepared and certified by a traffic engineer or civil engineer licensed in the State of Oregon.
2. **Analysis Threshold.**
 - A. A Traffic Impact Analysis is required when the proposed land use change or development will generate 300 vehicles or more per day (vpd) in average weekday trips as determined by the City Engineer. [ORD 4706; May 2017]

60.55.20.2.

- B. A Traffic Impact Analysis or some elements of a Traffic Impact Analysis may be required when the volume threshold under subsection A. of this section is not met but the City Engineer finds that the traffic impacts attributable to the development have the potential to significantly impact the safe and efficient operation of the existing public transportation system.
3. **Study Area.** The Traffic Impact Analysis shall evaluate the Area of Influence of the proposed development and all segments of the surrounding transportation system where users are likely to experience a change in the quality of traffic flow. The City Engineer may identify additional locations for study if existing traffic operation, safety, or performance is marginal or substandard. Prior to report preparation, the applicant shall submit the proposed scope and analysis assumptions of the Traffic Impact Analysis. The City Engineer shall determine whether the scope and analysis assumptions are adequate.
4. **Contents of the Traffic Impact Analysis Report.** The Traffic Impact Analysis report shall contain the following information organized in a logical format:
- A. Executive Summary
 - B. Description of Proposed Development
 - C. Existing Conditions
 - D. Traffic Forecasts
 - E. Traffic Impacts
 - F. Mitigation Identification
 - G. Recommendations
- A. Executive Summary. An Executive Summary of no more than three single-sided pages shall be included at the beginning of the Traffic Impact Analysis report. The Executive Summary shall summarize the analysis and conclusions and identify recommended transportation improvements.
- B. Description of Proposed Development. The Traffic Impact Analysis shall provide a comprehensive project description including but not limited to the following:
- 1. Vicinity map.
 - 2. Site plan.
 - 3. Project phasing.
 - 4. Time schedule.

60.55.20.4.B.

5. Intended use of the site, including the range of uses allowed without additional land-use approvals.
6. Intensity of use.

C. Existing Conditions. The Traffic Impact Analysis shall provide a complete evaluation of existing conditions and include maps and/or tables displaying the following information for the Area of Influence and any additional locations previously identified by the City Engineer:

1. Street system including street names and functional classifications.
2. Pavement and shoulder widths.
3. Striping and channelization.
4. Driveways.
5. Freight access and loading areas.
6. Intersections.
7. Traffic volumes.
 - a. Existing traffic shall be measured within the previous twelve months.
 - b. Traffic volumes shall be based on data from a minimum of two typical weekdays (Tuesday through Thursday). In addition, data shall be provided for weekends if weekends are the peak traffic period for either the existing street or the proposed development. [ORD 4706; May 2017]
 - c. Seasonal variations in traffic volumes shall be considered.
8. Existing intersection performance indicators including volume-to-capacity ratio and control delay.
9. Transit information including stop and shelter locations, route numbers, headways, passenger loading, pull outs, and times of service.
10. Bicycle ways, sidewalks, and accessways.
11. Collision data for the most recent three-year period for which collision data is available.

60.55.20.4.

- D. Traffic Forecasts. The Traffic Impact Analysis report shall provide forecasts of future traffic within the Area of Influence and any additional locations previously identified by the City Engineer. Traffic forecasts shall be provided for both the Buildout Year and the Long-Range Forecast Year. The report shall include complete documentation of trip generation calculations including Institute of Transportation Engineers (ITE) Trip Generation (latest published edition) use code(s) or an alternative basis of trip generation and the rationale for using the alternative.
1. Buildout Year Analysis. Buildout Year forecasts shall be Total Traffic at the time of anticipated completion and occupancy of each phase of the development and at the time of completion and occupancy of the entire development. The City shall provide traffic information on other developments to consider in the calculation of Added Traffic.
 2. Long-Range Forecast Year Analysis. The Traffic Impact Analysis shall include an analysis of the potential worst-case long-range impacts to the local transportation system identified in the City's Comprehensive Plan Transportation Element and the regional transportation system identified in Metro's Regional Transportation Plan. The forecast year shall be the forecast year of the Comprehensive Plan Transportation Element or an alternate year approved by the City Engineer. The Traffic Impact Analysis shall include a prediction of whether any phase of the proposed development will change the long-range transportation needs identified in the Comprehensive Plan and the extent to which traffic from the proposed development contributes to the long-range improvement needs.

60.55.20.4.D.

3. Traffic Forecast Analysis Assumptions.

- a. Trip generation. Estimates of the proposed development's trip generation shall be made for peak period traffic. Selection of the peak period used in the analysis shall be justified and shall consider, at a minimum, the peak period for the proposed development and the peak period for surrounding streets. The City Engineer may require review of other time periods based on known or anticipated marginal or substandard traffic capacity or traffic safety. Trip generation estimates shall be based on ITE's Trip Generation (latest published edition). The City Engineer may approve different trip generation rates when trip generation rates are not available in ITE's Trip Generation or different rates are justified.
- b. Trip distribution and assignment. Traffic generated by the proposed development shall be logically distributed and assigned to the street system within the Area of Influence and any additional locations previously identified by the City Engineer. Trip distribution and assignment shall be based on trip distribution information from Washington County, ODOT, or Metro, on analysis of local traffic patterns based on data less than 12 months old, or on alternative data approved by the City Engineer.

4. Intersection and Highway Interchange Analysis. Intersection and highway interchange analysis shall conform to the method for operations analysis described in the Highway Capacity Manual 2000 published by the Transportation Research Board. The City Engineer may approve an alternative analysis method. The analysis shall document that the impacts of queuing from adjacent intersections or traffic restrictions has been addressed.

60.55.20.4.

- E. Traffic Impacts. The Traffic Impact Analysis shall evaluate access, safety, operation, capacity, circulation, level of service, and performance of the transportation system within the proposed development's Area of Influence and any additional locations previously identified by the City Engineer for both the Buildout Year and any phases thereof, and the Long-Range Forecast Year.

Performance analysis shall be based on the standards of Section 60.55.10.7.

1. Safety considerations shall be evaluated. Potential safety problems resulting from conflicting turning movements between and among driveways, intersections, and internal traffic shall be addressed. Distance to the nearest driveways on both sides of streets fronting the site and in both directions from site access points shall be shown. On-Site driveway stacking and queuing impacts shall be assessed. The potential for shared access with adjacent development shall be assessed.
2. Geometric design and operational improvements including but not limited to acceleration lanes, deceleration lanes, turning lanes, traffic signals, and channelization shall be considered, evaluated, and recommended when determined necessary by standards and practices adopted by ODOT, Washington County, the City or approved by the City Engineer.
3. Adequacy of sight distance shall be addressed at the proposed road access point(s) for both the existing road configuration and for the ultimate road configuration based on improvements planned for the development and improvements identified in the Comprehensive Plan Transportation Element. Sight distance shall meet City standards.
4. The analysis shall also identify and evaluate related impacts on bicycle, pedestrian, and transit access, circulation, and facilities.

60.55.20.4.E.

5. Other, operational, circulation, safety, and capacity issues shall be evaluated and addressed as required by this code and by the City Engineer.

- F. Mitigation Identification. In order to protect the public transportation system from potentially adverse impacts of the proposal, to fulfill an identified need for public services within the impacted area related to the development, or both, the Traffic Impact Analysis shall identify methods of mitigating on-site and off-site deficiencies for present and proposed phases of the development. The analysis shall make recommendations for improvements necessary for safe and efficient traffic flow and bicycle, pedestrian, and transit movement and access based on and roughly proportional to the identified impacts. Buildout Year, Long-Range Forecast Year, and project phasing impacts shall be considered. [ORD 4418, February 2007]

The traffic impact analysis shall discuss the estimated levels of impact, improvements, and mitigations, and shall demonstrate how the recommended mitigations are roughly proportional to the identified impacts. [ORD 4418, February 2007]

Mitigation shall be consistent with improvements identified in the Comprehensive Plan Transportation Element. At a minimum, the Traffic Impact Analysis shall consider ultimate rights-of-way and additional streets, bicycle, and pedestrian connections and extensions and intersection improvements that are identified in the Comprehensive Plan Transportation Element Figures 6.1 through 6.23 and Tables 6.1 through 6.6 and connections required by Section 60.55.25. of this code. Mitigation measures may also include, but are not limited to, additional street connections and street extensions, turn lanes, signalization, signal modifications, installation of medians, shared access and other access management strategies, geometric improvements such as lane geometry improvements, and intersection realignments.

Where stop-controlled intersections do not meet the minimum performance standard of Section 60.55.10.7., an additional street connection or a street extension shall be considered as a potential mitigation measure.

60.55.20.4.

- G. Recommendations. The Traffic Impact Analysis report shall clearly state the mitigation measures recommended by the analysis and shall summarize how the recommended mitigations are roughly proportional to the identified impacts. The recommended street and highway mitigation measures shall be shown on a scaled drawing that depicts existing and recommended improvements. [ORD 4418, February 2007]

60.55.25. Street and Bicycle and Pedestrian Connection Requirements.
[ORD 4302; June 2004]

1. All streets shall provide for safe and efficient circulation and access for motor vehicles, bicycles, pedestrians, and transit. Bicycle and pedestrian connections shall provide for safe and efficient circulation and access for bicycles and pedestrians.
2. The Comprehensive Plan Transportation Element Figures 6.1 through 6.23 and Tables 6.1 through 6.6 shall be used to identify ultimate right-of-way width and future potential street, bicycle, and pedestrian connections in order to provide adequate multi-modal access to land uses, improve area circulation, and reduce out-of-direction travel.
3. Where a future street or bicycle and pedestrian connection location is not identified in the Comprehensive Plan Transportation Element, where abutting properties are undeveloped or can be expected to be redeveloped in the near term, and where a street or bicycle and pedestrian connection is necessary to enable reasonably direct access between and among neighboring properties, the applicant shall submit as part of a complete application, a future connections plan showing the potential arrangement of streets and bicycle and pedestrian connections that shall provide for the continuation or appropriate projection of these connections into surrounding areas.
4. Streets and bicycle and pedestrian connections shall extend to the boundary of the parcel under development and shall be designed to connect the proposed development's streets, bicycle connections, and pedestrian connections to existing and future streets, bicycle connections, and pedestrian connections. A closed-end street, bicycle connection, or pedestrian connection may be approved with a temporary design.

60.55.25.

5. Whenever existing streets and bicycle and pedestrian connections adjacent to or within a parcel of land are of inadequate width, additional right-of-way may be required by the decision-making authority.
6. Where possible, bicycle and pedestrian connections shall converge with streets at traffic-controlled intersections for safe crossing.
7. Bicycle and pedestrian connections shall connect the on-site circulation system to existing or proposed streets, to adjacent bicycle and pedestrian connections, and to driveways open to the public that abut the property. Connections may approach parking lots on adjoining properties if the adjoining property used for such connection is open to public pedestrian and bicycle use, is paved, and is unobstructed.
8. To preserve the ability to provide transportation capacity, safety, and improvements, a special setback line may be established by the City for existing and future streets, street widths, and bicycle and pedestrian connections for which an alignment, improvement, or standard has been defined by the City. The special setback area shall be recorded on the plat.
9. Accessways are one or more connections that provide bicycle and pedestrian passage between streets or a street and a destination. Accessways shall be provided as required by this code and where full street connections are not possible due to the conditions described in Section 60.55.25.14. [ORD 4397; August 2006]

An accessway will not be required where the impacts from development, redevelopment, or both are low and do not provide reasonable justification for the estimated costs of such accessway.

A. Accessways shall be provided as follows:

1. In any block that is longer than 600 feet as measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street, an accessway shall be required through and near the middle of the block.

60.55.25.9.A.

2. If any of the conditions described in Section 60.55.25.14. result in block lengths longer than 1200 feet as measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street, then two or more accessways may be required through the block. [ORD 4397; August 2006]
3. Where a street connection is not feasible due to conditions described in Section 60.55.25.14., one or more new accessways to any or all of the following shall be provided as a component of the development if the accessway is reasonably direct: an existing transit stop, a planned transit route as identified by TriMet and the City, a school, a shopping center, or a neighborhood park. [ORD 4397; August 2006]
4. The City may require an accessway to connect from one cul-de-sac to an adjacent cul-de-sac or street.
5. In a proposed development or where redevelopment potential exists and a street connection is not proposed, one or more accessways may be required to connect a cul-de-sac to public streets, to other accessways, or to the project boundary to allow for future connections.
6. Within the South Cooper Mountain Community Plan area, the City may require an accessway to connect from multi-use paths or trails to streets, multi-use paths, or trails. [ORD 4652; February 2015]

B. Accessway Design Standards.

1. Accessways shall be as short as possible and wherever practical, straight enough to allow one end of the path to be visible from the other.
2. Accessways shall be located to provide a reasonably direct connection between likely pedestrian and bicycle destinations. [ORD 4332; January 2005]

60.55.25.

10. Pedestrian Circulation. [ORD 4487; August 2008]

- A. Walkways are required between parts of a development where the public is invited or allowed to walk.
- B. A walkway into the development shall be provided for every 300 feet of street frontage. A walkway shall also be provided to any accessway abutting the development.
- C. Walkways shall connect building entrances to one another and from building entrances to adjacent public streets and existing or planned transit stops. Walkways shall connect the development to walkways, sidewalks, bicycle facilities, alleyways and other bicycle or pedestrian connections on adjacent properties used or planned for commercial, multifamily, institution or park use. The City may require connections to be constructed and extended to the property line at the time of development.
- D. Walkways shall be reasonably direct between pedestrian destinations and minimize crossings where vehicles operate.
- E. Walkways shall be paved and shall maintain at least five (5) feet of unobstructed width. Walkways bordering parking spaces shall be at least seven feet wide unless concrete wheel stops, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles from obstructing the walkway. Stairs or ramps shall be provided where necessary to provide a reasonably direct route. The slope of walkways without stairs shall conform to City standards. [ORD 4782; April 2020]
- F. The Americans with Disabilities Act (ADA) contains different and stricter standards for some walkways. The ADA applies to the walkway that is the principal building entrance and walkways that connect transit stops and parking areas to building entrances. Where the ADA applies to a walkway, the stricter standards of ADA shall apply.
- G. On-site walkways shall be lighted to 0.5 foot-candle level at initial luminance. Lighting shall have cut-off fixtures so that illumination does not exceed 0.5 foot-candle more than five (5) feet beyond the property line.

60.55.25.

11. Pedestrian Connections at Major Transit Stops. Commercial and institution buildings at or near major transit stops shall provide for pedestrian access to transit through the following measures:
 - A. For development within 200 feet of a Major Transit Stop:
 1. Either locate buildings within 20 feet of the property line closest to the transit stop, a transit route or an intersecting street, or provide a pedestrian plaza at the transit stop or a street intersection;
 2. Provide a transit passenger landing pad accessible to persons with disabilities if required by TriMet and the City;
 3. Provide a reasonably direct pedestrian connection between the transit stop and building entrances on the site;
 4. Where substantial evidence of projected transit ridership or other transit impacts is presented to conclude both that a nexus exists between the proposed development and public transit and that the degree of impact provides reasonable justification, the City may require the developer to grant a public easement or dedicate a portion of the parcel for transit passenger bench(es), shelter, or both, and, if appropriate, the construction of a transit passenger bench, shelter, or both; and,
 5. Provide lighting at the transit stop to City standards.
 - B. Except as otherwise provided in subsection A. of this section, for development within 300 feet of a Major Transit Stop, provide walkways connecting building entrances and streets adjoining the site, and pedestrian connections to adjoining properties, except where such a connection is impracticable pursuant to subsection 14. of this section.

60.55.25.

12. Assessment, review, and mitigation measures (including best management practices adopted by local agencies) shall be completed for bicycle and pedestrian connections located within the following areas: wetlands, streams, areas noted as Significant Natural Resources Overlay Zones, Significant Wetlands and Wetlands of Special Protection, and Significant Riparian Corridors within Volume III of the Comprehensive Plan Statewide Planning Goal 5 Resource Inventory Documents and Significant Natural Resources Map, and areas identified in regional and/or intergovernmental resource protection programs.

“Assessment” for the purposes of this section means to assess the site-specific development compatibility issues. Site-specific compatibility issues include but are not limited to lighting, construction methods, design elements, rare plants, and human/pet impacts on the resource. “Review” for the purposes of this section includes but is not limited to obtaining appropriate permits from appropriate resource agencies. Mitigation measures, including appropriate use restrictions, required by local, state, and federal agencies shall be completed as part of the construction project. If the project will irreparably destroy the resource, then the resource will take precedence over the proposed bicycle and pedestrian connection.

13. New construction of bicycle and pedestrian connections along residential rear lot lines is discouraged unless no comparable substitute alignment is possible in the effort to connect common trip origins and destinations or existing segment links.
14. Street and Bicycle and Pedestrian Connection Hindrances. Street, bicycle, and/or pedestrian connections are not required where one or more of the following conditions exist:
 - A. Physical or topographic conditions make a general street, bicycle, or pedestrian connection impracticable. Such conditions include but are not limited to the alignments of existing connecting streets, freeways, railroads, slopes in excess of City standards for maximum slopes, wetlands or other bodies of water where a connection could not reasonably be provided;
 - B. Existing buildings or other development on adjacent lands physically preclude a connection now, and in the future, considering the potential for redevelopment; or,

60.55.25.14.

- C. Where streets, bicycle, or pedestrian connections would violate provisions of leases, easements, covenants, or restrictions written and recorded as of May 1, 1995, which preclude a required street, bicycle, or pedestrian connection.

60.55.30. Minimum Street Widths. [ORD 4302; June 2004] Minimum street widths are depicted in the Engineering Design Manual. [ORD 4418; February 2007]

1. Any project-specific modifications of the standards contained in the Engineering Design Manual regarding the widths of features relating to the movement of vehicles, including but not limited to rights of way, travel lanes, parking lanes, bike lanes, driveway aprons, curb radii, or other such features shall be processed in accordance with the provisions contained in the Section 145 Design Modifications of the *Engineering Design Manual*. [ORD 4418; February 2007]
2. Any project-specific modifications of the standards of the Engineering Design Manual relating to the location and dimensions of required street landscaping and pedestrian features including, but not limited to, sidewalks, planter strips, street trees, street tree wells, street tree easements, or street furniture are subject to the procedures contained in Chapter 40 (Applications). The required application will depend on the scope of the proposed project and the type of application filed with the City. [ORD 4418; February 2007]
3. Street trees shall be planted at a maximum linear spacing of 30 feet along street frontages or in accordance with an approved street tree plan approved by the City Arborist. Proposed tree wells shall be designed to meet standards in the City Engineering Design Manual. [ORD 4782; April 2020]

60.55.35. Access Standards. [ORD 4302; June 2004]

1. The development plan shall include street plans that demonstrate how safe access to and from the proposed development and the street system will be provided. The applicant shall also show how public and private access to, from, and within the proposed development will be preserved

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2. No more than 25 dwelling units may have access onto a closed-end street system unless the decision-making authority finds that identified physical constraints preclude compliance with the standard and the proposed development is still found to be in compliance with the Facilities Review criteria of Section 40.03. [ORD 4584; June 2012]
3. Intersection Standards.
 - A. Visibility at Intersections. All work adjacent to public streets and accessways shall comply with the standards of the Engineering Design Manual except in Regional and Town Centers. [ORD 4462; January 2008]
 1. The sight clearance area requirements for Town Centers and Regional Centers shall be determined on a case-by-case basis by the decision-making authority. In making its determination, the decision-making authority shall consider the safety of the users of the intersection (including pedestrians, bicyclists, and motorists), design speeds, the intersection sight distance standards of the Engineering Design Manual and Standard Drawings, and other applicable criteria. [ORD 4111; July 2000]
 2. The requirements specified in 60.55.35.3.A. may be lessened or waived by the decision-making authority if the project will not result in an unsafe traffic situation. In making its determination, the decision-making authority shall consider the safety of the users of the intersection (including pedestrians, bicyclists and motorists), design speeds, the intersection sight distance standards of the Engineering Design Manual, and other applicable criteria.
 - B. Intersection angles and alignment and intersection spacing along streets shall meet the standards of the Engineering Design Manual and Standard Drawings.
 1. When a highway interchange within the City is constructed or reconstructed, a park and ride lot shall be considered.

60.55.35.3.

C. Driveways.

1. Corner Clearance for Driveways. Corner clearance at signalized intersections and stop-controlled intersections, and spacing between driveways shall meet the standards of the Engineering Design Manual and Standard Drawings.
2. Shared Driveway Access. Whenever practical, access to Arterials and Collectors shall serve more than one site through the use of driveways common to more than one development or to an on-site private circulation design that furthers this requirement.

Consideration of shared access shall take into account at a minimum property ownership, surrounding land uses, and physical characteristics of the area.

Where two or more lots share a common driveway, reciprocal access easements between adjacent lots may be required.

3. No new driveways for detached dwellings shall be permitted to have direct access onto an Arterial or Collector street except in unusual circumstances where emergency access or an alternative access does not exist. Where detached dwelling access to a local residential street or Neighborhood Route is not practicable, the decision-making authority may approve access from a detached dwelling to an Arterial or Collector.

60.55.40. Transit Facilities. [ORD 4302; June 2004] Transit routes and transit facilities shall be designed to support transit use through provision of transit improvements. These improvements shall include passenger landing pads, accessways to the transit stop location, or some combination thereof, as required by TriMet and the City, and may also include shelters or a pad for a shelter. In addition, when required by TriMet and the City, major industrial, institution, retail, and office developments shall provide either a transit stop on site or a pedestrian connection to a transit stop adjacent to the site.

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1. **Transit Shelters.** [ORD 4332; January 2005] All transit shelters and sidewalk furniture shall meet the following standards.
 - A. The proposal is located entirely within the existing public right-of-way, public access easement, or property owned by a public agency.
 - B. The proposal maintains an unobstructed path of travel of no less than six feet (6') unless a greater unobstructed path is required by this code for a specific sidewalk.
 - C. The proposal is not located within eight feet (8') of a point of ingress or egress of an existing structure.
 - D. The proposal is not located within a vision clearance area for a street, driveway, or other facility where vehicles regularly travel.
 - E. The proposal is not located within twelve feet (12') of a window display area.
 - F. The proposal does not consist of solid panels other than what is required to post transit schedules.

60.60. TREES AND VEGETATION. [ORD 4224; August 2002] [ORD 4348; May 2005]

60.60.05. Purpose.

Healthy trees and urban forests provide a variety of natural resource and community benefits for the City of Beaverton. Primary among those benefits is the aesthetic contribution to the increasingly urban landscape. Tree resource protection focuses on the aesthetic benefits of the resource. In conjunction with processes set forth in Section 40.90. of this Code, this section is intended to help manage changes to the City's urban forest by establishing regulations and standards for the protection, pruning, removal, replacement, and mitigation for removal of Protected Trees (Significant Individual Trees, Historic Trees, Mitigation Trees and trees within a Significant Natural Resource Area (SNRA) or Significant Grove), Landscape Trees, and Community Trees. [ORD 4584; June 2012]

60.60.07. Enforcement.

A person found responsible for causing the removal or pruning of a protected tree in violation of the standards set forth in Section 60.60., unless exempt, shall be subject to monetary penalties. In cases of unlawful removal the person must also mitigate the removal as set forth in the mitigation requirements of Section 60.60.25.

Monetary penalties imposed by a court of competent jurisdiction upon conviction for violating any provision of Chapter 60 Section 60 of this Ordinance, shall be deposited into the City's Tree Mitigation Fund.

60.60.10. Types of Trees and Vegetation Regulated.

Actions regarding trees and vegetation addressed by this section shall be performed in accordance with the regulations established herein and in Section 40.90. of this Code. The City finds that the following types of trees and vegetation are worthy of special protection:

1. Significant Individual Trees.
2. Historic Tree.
3. Trees within Significant Natural Resource Areas.
4. Trees within Significant Groves.

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5. Landscape Trees.
6. Community Trees.
7. Mitigation Trees.

60.60.15. Pruning, Removal, and Preservation Standards.

1. Pruning Standards.
 - A. It shall be unlawful for any person to remove or prune to remove a tree's canopy or disturb the root zone of any Protected Tree, except in accordance with the provisions of this Code.
 - B. All pruning of Protected Trees shall be done in accordance with the standards set forth in this section and the City's adopted Tree Planting and Maintenance Policy, also known as Resolution 3391.
2. Removal and Preservation Standards.
 - A. All removal of Protected Trees shall be done in accordance with the standards set forth in this section.
 - B. Removal of Landscape Trees and Protected Trees shall be mitigated, as set forth in section 60.60.25.
 - C. For SNRAs and Significant Groves, the following additional standards shall apply:
 1. The minimum DBH of non-exempt surveyed trees that must be preserved on a site is as follows:
 - a) Multiple Use zoning districts: Fifteen percent (15%) of the DBH of non-exempt surveyed trees found on a project site.
 - b) Residential, Commercial, or Industrial zoning district: Twenty five percent (25%) of the DBH of non-exempt surveyed trees found on a project site
 2. DBH to be retained shall be preserved in cohesive areas, termed Preservation Areas, when development is proposed in SNRAs or Significant Groves.

60.60.15.2.C.

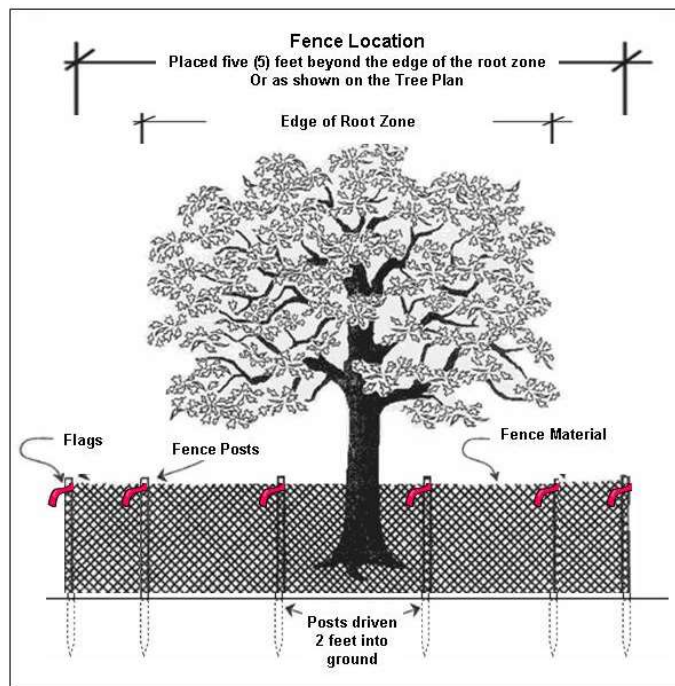
3. Native understory vegetation and trees shall be preserved in Preservation Areas.
4. Preservation Areas, conditioned for protection through the Development Review process, shall be preserved in clusters that are natural in appearance rather than in linear strips. Preservation Areas should connect with adjoining portions of the Significant Grove or SNRA on other sites.
5. Preservation Areas, conditioned for protection through the Design Review process, shall be set aside in conservation easements and recorded with a deed restriction with Washington County, unless otherwise approved by the City. The deed restriction shall prohibit future development and specify the conditions for maintenance if the property is not dedicated to a public agency.
6. Preservation Areas, conditioned for protection through the Land Division process, shall be set aside in tracts and recorded with a deed restriction with Washington County, unless otherwise approved by the City. The deed restriction shall prohibit future development and specify the conditions for maintenance if the property is not dedicated to a public agency.
7. Within the development review process, where a person is presented with a particular decision whether to retain a native or non-native tree, the native species shall be retained provided all other considerations between the two categories of trees remain equal.

Non-native tree species may also be retained for aesthetic, unique condition, size, and wildlife habitat purposes.

8. Hazardous and dead trees within Significant Groves and SNRAs should be fallen only for safety and left at the resource site to serve as habitat for wildlife, unless the tree has been diagnosed with a disease and must be removed from the area to protect the remaining trees.

60.60.20. Tree Protection Standards during Development.

1. Trees classified as Protected Trees under this Code shall be protected during development in compliance with the following:
 - A. A construction fence must be placed around a tree or grove beyond the edge of the root zone. The fence shall be placed before physical development starts and remain in place until physical development is complete. The fence shall meet the following:
 1. The fence shall be a four foot (4') tall orange plastic or snow fence, secured to six foot (6') tall metal posts, driven two feet (2') into the ground. Heavy 12 gauge wire shall be strung between each post and attached to the top and midpoint of each post. Colored tree flagging indicating that this area is a tree protection zone is to be placed every five (5) linear feet on the fence to alert construction crews of the sensitive nature of the area.



2. Other City approved protection measures that provide equal or greater protection may be permitted, and may be required as a condition of approval.

60.60.20.1.

- B. Within the protected root zone of each tree, the following development shall not be permitted:
 - 1. Construction or placement of new buildings.
 - 2. Grade change or cut and fill, except where hand excavation is approved with the submittal of an arborist's report, as part of application approval.
 - 3. New impervious surfaces.
 - 4. Trenching for utilities, irrigation, or drainage.
 - 5. Staging or storage of any kind.
 - 6. Vehicle maneuvering or parking

60.60.25. Mitigation Requirements.

- 1. The following standards shall apply to mitigation for the removal of Significant Individual Trees or trees within Significant Groves or SNRAs.
 - A. All mitigation tree planting shall take place in conformance with accepted arboricultural practices and shall be spaced a minimum of ten (10) feet apart.
 - B. As of May 19, 2005, all trees planted for the purpose of tree removal mitigation shall be maintained in accordance with the approved mitigation plan. Monitoring of mitigation planting shall be the ongoing responsibility of the property owner where mitigation trees are located, unless otherwise approved through Development Review. Monitoring shall take place for a period of two (2) years. Trees that die shall be replaced in accordance with the tree replacement standards of this section.
 - C. As of May 19, 2005, all trees planted for the purpose of tree removal mitigation shall be set aside in a conservation easement or a separate tract and shall be designated as "Mitigation Trees" and recorded with a deed restriction identifying the trees as "Mitigation Trees".

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- D. Each Mitigation Tree planted shall be insured through a performance security, equal to 110 percent of the cost of the landscaping, filed with the City for a period of two (2) years to ensure establishment of the mitigation planting.
 - E. Street trees shall not be counted as providing mitigation of a SNRA or Significant Grove.
 - F. Transplanting trees within the project site is not subject to mitigation. However, a performance security is required for transplanted tree(s) to insure that the tree(s) will be replaced if the tree(s) is dead or dying at the end of two (2) years.
2. Mitigation for the removal of trees from Significant Groves or SNRAs shall be required as follows:
- A. Calculate the total DBH of the trees to be removed. Denote both deciduous and coniferous trees in separate tables; however, both tables will result in the sum total of the DBH to be removed.
 - B. If the total DBH of trees to be removed is less than or equal to 50% of the total DBH of surveyed trees on the site, then no mitigation is required for the trees to be removed.
 - C. If the total DBH of trees to be removed is greater than 50% of the total DBH of surveyed trees on site, then mitigation is required for the amount of DBH to be removed that exceeds 50% of the total DBH of surveyed trees on site.
- For example, if 75 inches is the total amount of DBH to be removed from a site and 60 inches of DBH represents 50% of the total surveyed DBH, then 15 inches of DBH is the total required amount of mitigation.
3. In addition to the requirements listed in Section 60.60.25.1. Mitigation Requirements, the following mitigation requirements shall apply for the removal of trees from Significant Groves or SNRAs.
- A. Dead or dying trees within a Significant Grove or SNRA shall be fallen when required for safety. Such tree falling shall not require mitigation. However, the fallen log should remain in the Significant Grove or SNRA, to serve as habitat for wildlife, unless the tree has been diagnosed with a disease and the log must be removed from the area to protect the remaining trees.

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B. All trees planted for mitigation must meet the following minimum requirements:

1. Deciduous trees shall be replaced with native deciduous trees that are no less than two caliper inches (2") in diameter.
2. Coniferous trees shall be replaced with native coniferous trees that are no less than three feet (3') in height and no more than four feet (4') in height. A three foot (3') mitigation tree shall equate to 2" DBH and four foot (4') mitigation tree will equate to 3" DBH.
3. The total linear DBH measurement of the trees to be removed shall be mitigated with the necessary number of trees at least two caliper inches (2") in diameter.

4. Significant Grove or SNRA on-site mitigation, 2:1 planting ratio.

A. Residential, Commercial, or Industrial zoning districts: For tree removal proposals which remove more than 50% and up to and including 75% of the surveyed non-exempt DBH, if all mitigation tree planting is to occur on-site, the ratio for planting shall be on a 2:1 basis.

For example, if 20 inches of DBH is the total amount of required mitigation, if all the mitigation planting occurs on the site where the removal is to occur, then only 10 inches of DBH is required to be planted.

B. Multiple Use zoning districts: For tree removal proposals which remove more than 50% and up to and including 85% of the surveyed non-exempt DBH, if all mitigation tree planting is to occur on-site, the ratio for planting shall be on a 2:1 basis.

For example, if 20 inches DBH is the total amount of required mitigation, if all the mitigation planting occurs on the site where the removal is to occur, then only 10 inches of DBH is required to be planted.

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5. Significant Grove or SNRA off-site mitigation, 1:1 planting ratio.
 - A. Residential, Commercial, or Industrial zoning districts: For tree removal proposals which remove more than 50% and up to and including 75% of the surveyed non-exempt DBH, if mitigation tree planting is to occur off-site, the ratio for planting shall be on a 1:1 basis.
 - B. Multiple Use zoning districts: For tree removal proposals which remove more than 50% and up to and including 85% of the surveyed non-exempt DBH in Multiple Use zones, if mitigation tree planting is to occur off-site, the ratio for planting shall be on a 1:1 basis.
6. Significant Grove or SNRA Tree Plan 3 mitigation, 1:1 planting ratio.
 - A. Residential, Commercial, or Industrial zoning districts: For tree removal proposals which remove more than 75% and up to and including 100% of the surveyed non-exempt DBH, all of the required mitigation tree planting shall be on a 1:1 basis whether planted on-site or off-site.
 - B. Multiple Use Zoning Districts: For tree removal proposals which remove more than 85% and up to and including 100% of the surveyed non-exempt DBH, all of the required mitigation tree planting shall be on a 1:1 basis whether planted on-site or off-site.
7. In-Lieu fee. If the total caliper inch on-site- or off-site tree planting mitigation does not equal the DBH inch removal or if no tree planting mitigation is proposed, the remaining or total caliper inch tree planting mitigation shall be provided as a fee in-lieu payment. The in-lieu fee shall be specified in the Community Development In-Lieu Fee schedule. Fee revenues shall be deposited in the City's Tree Mitigation Fund.

60.60.25.7.

The following two tables illustrate how required mitigation will be calculated:
[ORD 4584; June 2012]

| Mitigation Example for Multiple Use Zones – SAMPLE SITE* | |
|--|---------------|
| DBH of Surveyed Trees | 1318.00 |
| DBH Proposed for Removal (MAXIMUM removal allowed is 85% Surveyed Tree DBH) | 1120.00 |
| Mitigation Threshold (50% Surveyed Tree DBH) | 659.00 |
| DBH to be Mitigated (85% DBH Removal – 50% DBH Threshold = 25% Surveyed DBH) | 461.00 |
| On Site Mitigation (50% of the DBH to be mitigated) | 230.50 |
| Off Site OR Partial Off Site Mitigation (100% of the DBH to be mitigated) | 461.00 |

Please note: This “Sample Site” is **fictional and is only meant to be a representation of how the regulations of Section 60.60. (Trees and Vegetation) could be applied to a site.*

| Mitigation Example for All Other Zones – SITE SAMPLE* | |
|--|---------------|
| DBH of Surveyed Trees | 1318.00 |
| DBH Proposed for Removal (MAXIMUM removal allowed is 75% Surveyed Tree DBH) | 988.00 |
| Mitigation Threshold (50% Surveyed Tree DBH) | 659.00 |
| DBH to be Mitigated (75% DBH Removal – 50% DBH Threshold = 25% Surveyed DBH) | 329.00 |
| On Site Mitigation (50% of the DBH to be mitigated) | 164.50 |
| Off Site OR Partial Off Site Mitigation (100% of the DBH to be mitigated) | 329.00 |

Please note: This “Sample Site” is **fictional and is only meant to be a representation of how the regulations of Section 60.60. (Trees and Vegetation) could be applied to a site.*

8. In addition to the standards in Mitigation Standards 1, the following standards shall apply to mitigation for the removal of a Significant Individual Tree:
 - A. A replacement tree shall be a substantially similar species or a tree approved by the City considering site characteristics.
 - B. Mitigation for the removal of a Significant Individual Tree shall be the required replacement of each tree on based on the total linear DBH measurement. Replacement of trees shall be as follows:

**Replacement Table for
Significant Deciduous Trees**

| Caliper-inches removed | Minimum total caliper-inches of replacement trees |
|-----------------------------------|--|
| 6-12" | 4" |
| 13-18" | 6" |
| 19-24" | 8" |
| Over 25" | 9" |

Minimum replacement tree size is 2 caliper-inches for deciduous trees.

60.60.25.8.B.

**Replacement Table for
Significant Coniferous Trees**

| Caliper-inches removed | Minimum number of replacement Trees |
|-----------------------------------|--|
| 6-12" | 1 |
| 13-24" | 2 |
| Over 25" | 3 |

Minimum replacement tree size is 3-feet minimum height for coniferous trees.
[ORD 4584; June 2012]

9. The following standards apply to the replacement of a Landscape Tree:
 - A. A replacement tree shall be a substantially similar species or a tree approved by the City considering site characteristics.
 - B. If a replacement tree of the species of the tree removed or damaged is not reasonably available, the City may allow replacement with a different species.
 - C. Replacement of a Landscape Tree shall be based on total linear DBH calculations at a one-to-one ratio depending upon the capacity of the site to accommodate replacement tree or unless otherwise specified through development review. Replacement of tree on a one-to-one basis shall be as follows:
 1. Calculate the sum of the total linear DBH measurement of the tree to be removed.
 2. The total linear DBH measurement of the tree to be removed shall be replaced with tree at least 1.5 caliper inches in diameter. The total caliper inches of the

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replacement tree shall be at least equal to the sum total of the linear DBH measurement of the removed tree.

60.65. UTILITY UNDERGROUNDING. [ORD 4118; September 2000]

60.65.05. Purpose. The purposes and objectives of locating existing and proposed private utilities underground are to:

1. Implement the policies, goals, and standards of the City Council and the adopted Comprehensive Plan of the City of Beaverton.
2. Improve aesthetics of the community by reducing the number of utility poles and above ground wires.
3. Provide consistency in management of the City's rights-of-way.
4. Protect essential public services from natural and manmade accidental disruptions.
5. Improve public safety by reducing the possibility for injury from downed lines.
6. Allow fewer fixed obstructions in the public right-of-way.

60.65.10. Authority. The provisions of private utility undergrounding shall pertain to all activities subject to Design Review (Section 40.20.), as well as Land Divisions (Section 40.45.).

60.65.15. Regulation. All existing and proposed utility lines within and contiguous to the subject property, including, but not limited to, those required for electric, communication, and cable television services and related facilities shall be placed underground as specified herein. The utilities required to be placed underground shall be those existing overhead utilities which are impacted by the proposed development and those utilities that are required to be installed as a result of the proposed development.

60.65.15.

1. At the option of the applicant and subject to rules promulgated by the Oregon Public Utility Commission (PUC), this requirement does not apply to surface mounted transformers, surface mounted connection boxes and meter cabinets, which may be placed above ground, temporary utility service facilities during construction, high capacity electric lines operating at 50,000 volts or above, and that portion of a project where undergrounding will require boring under a Collector or Arterial roadway, and City funded roadway projects which the City Council has specifically considered and declined to fund utility undergrounding as a component of the roadway project, Washington County funded roadway projects, such as MSTIP projects, and Oregon Department of Transportation funded roadway projects. [ORD 4343; April 2005] [ORD 4363; September 2005]
2. The developer shall make all necessary arrangements with the serving private utility to cause the utility service(s) to be placed underground;
3. The City reserves the right to approve surface mounted facilities;
4. All underground public and private utilities shall be constructed or installed prior to the final surfacing of the streets; and
5. Stubs for service connections and other anticipated private extensions at street intersections shall be long enough to avoid disturbing street surfaces and right-of-way improvements such as sidewalks and landscaping areas when service connections are made.
6. Unless otherwise specifically required in an existing franchise between the City and the particular private utility, or PUC rule, the applicant or developer responsible for initiating the requirement for placing overhead utilities underground is responsible for the cost of converting all existing customer equipment and private utilities on private or public property, or both to meet utility undergrounding requirements.
7. If the private utility service provider requires an applicant, as a component of the applicant's placing private utilities underground, to install facilities to accommodate extra capacity beyond those necessitated by the proposed development, the private utility service provider shall be financially responsible for providing the means to provide such extra capacity.

60.65.20. Information on Plans. The applicant for a development subject to design review, subdivision, partition, or site development permit approval shall show, on the proposed plan or in the explanatory information, the following:

1. Easements for all public and private utility facilities;
 2. The location of all existing above ground and underground public and private utilities within 100 feet of the site;
 3. The proposed relocation of existing above ground utilities to underground; and
2. That above ground public or private utility facilities do not obstruct vision clearance areas pursuant to Section 60.55.35.3 of this Code.

60.65.25. Optional Fee In Lieu of the Undergrounding Requirement. If any of the following criteria are met as determined by the City, after receiving a recommendation from the Facilities Review Committee, at the applicant's option, applicant shall either immediately place the private utilities underground or pay a fee to the City toward future undergrounding in lieu of immediately placing private utilities underground. [ORD 4224; August 2002]

Criteria. An applicant may request an optional fee in-lieu of the undergrounding requirement by submitting a written request to the Director that addresses how one or more of the following criteria are met. The written request shall include the information required in Sections 60.65.20.2. and 3., shall identify the segment of the required utility undergrounding that meet the criteria below, and shall explain in narrative and graphic form how one or more of the criteria are met. [ORD 4224; August 2002]

1. Placement of private utilities underground would conflict with the current City of Beaverton *Engineering Design Manual and Standard Drawings* or the *Clean Water Service's Design and Construction Manual*, as applicable;
2. An improvement project(s), which would include placement of said private utilities underground, other than as a part of the proposed development, are funded in the City's or another public agency's current fiscal year budget, are under design, or are under construction, and the City has determined that utility undergrounding can be accomplished more efficiently as part of such other improvement project(s).

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3. Excluding service connection(s) of private utility(s) to structure(s), the length of any one of the three private utilities within or contiguous to the subject property to be placed underground is less than the corresponding threshold distance outlined in Table 60.65.25.3. If any of the existing or proposed utilities meets the corresponding threshold, as specified in this criterion, then, at the option of the applicant, the applicant shall either pay a fee in-lieu for undergrounding all of said utilities that are not already underground or place all of said utilities underground. If any of the utilities exist and are deemed exempt from the undergrounding requirement, as specified in Section 60.65.15.1., only that exempt utility shall not be required to pay an in-lieu fee. All other existing utilities that share the location of the exempt utility shall either pay an in-lieu fee or be placed underground.

Table 60.65.25.3.

| | Threshold | <u>Electric</u> | <u>Telephone</u> | <u>Cable Television</u> |
|----|-----------|----------------------------------|--|-----------------------------|
| A. | 500 feet | Tap lines with at least 2 poles | Class 1 (0 to 300 conductors) | Service drops |
| B. | 600 feet | Sub-feeder with at least 3 poles | Class 2 (301 to 600 conductors) | Feeder |
| C. | 800 feet | Feeder with at least 5 poles | Class 3 (601+ conductors or fiber optic) | Trunk or fiber optic |

60.65.30. Fees to be Paid In-Lieu of Undergrounding.

1. Applicants subject to the undergrounding in-lieu fee shall pay to the City an amount per linear foot of each private utility that is subject to underground relocation which is not placed underground. The amount of the fee shall be established by the City Council by resolution and shall be based on average costs of undergrounding by the private utility providers.
2. All in-lieu fees paid to the City shall be dedicated to future private utility undergrounding projects in which the City takes part. Any in-lieu fees paid on behalf of a particular property shall not have such property subject to future assessment or other City charge for the same work unless a credit is given for the fee having been paid.
3. By accepting an in-lieu fee, the City is not thereby assuming responsibility for placing overhead private utilities underground. In the event that an in-lieu fee has been paid to the City, the City shall credit all properties as to which the owner has paid in-lieu fees for undergrounding private overhead utilities against any future public

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assessment(s) or charge(s) in connection with such private utility undergrounding project(s).

4. All in-lieu fees shall be paid prior to the issuance of a Site Development Permit.

60.65.35. City to Establish Priorities. Any funds collected from the in-lieu undergrounding fees may be used by the City to offset the costs of undergrounding any private utilities as part of any project listed in the CIP, subject to the following priorities:

1. Collected in-lieu fees shall be used for private utility undergrounding project(s) that are within 2,500 feet of the site that paid the in-lieu fee
2. Private utility undergrounding project(s) that are within the 2,500 feet of sites where fees have been collected and where other public construction project(s), such as road improvements or other utility work have been identified, shall be ranked higher than projects where no in-lieu fees have been collected and no construction projects have been identified for inclusion in the CIP.
3. Private utility undergrounding project(s) that are within the 2,500 feet of sites where fees have been collected for private utility undergrounding shall be ranked higher in priority than those where no in-lieu fees have been collected.

60.67. SIGNIFICANT NATURAL RESOURCES. [ORD 4157; May 2001]

60.67.05. Local Wetland Inventory. Prior to issuing a development permit, the Local Wetland Inventory map shall be reviewed to determine if the site proposed for development is identified as the location of a significant wetland.

1. Development activities and uses permitted on a proposed development site identified as the possible location of a significant natural resource, including significant wetlands shall be subject to relevant procedures and requirements specified in Chapter 50, of this ordinance.
2. Upon City's determination that a site contains wetland as identified on the Local Wetland Inventory map, notice of the proposed development shall be provided to the Division of State Lands (DSL) in a manner and form prescribed by DSL pursuant to ORS requirements.

60.67.10. Significant Riparian Corridors. Prior to issuing a development permit, the list of Significant Riparian Corridors shall be reviewed to determine if the site proposed for development is identified as being listed corridor.

1. Development activities and uses permitted on a proposed development site identified as the possible location of a significant natural resource, including significant riparian corridors, shall be subject to relevant procedures and requirements specified in Chapter 50 of this ordinance. [ORD 4659; June 2015]

60.70. WIRELESS COMMUNICATIONS FACILITIES. [ORD 4248; May 2003]

60.70.05. Purpose.

1. The purpose of these regulations is to ensure that Wireless Communications Facilities (WCF) are regulated in a manner that:
 - A. Conforms to the current federal, state, local laws and with FCC Declaratory Rulings to date. [ORD 4596; February 2013]
 - B. Promotes universal communication service to all City residents, businesses and visitors.
 - C. Establishes clear and objective standards for the placement, design and continuing maintenance of WCF.
 - D. Minimizes the adverse visual, aesthetic and structural safety impacts of WCF on residential neighborhoods and on the community as a whole.
 - E. Encourages the design of WCF to be as aesthetically and architecturally compatible as possible with the surrounding natural and built environments.
 - F. Encourages collocation of WCF on existing support structures to minimize the number of new facilities required.
 - G. Ensures that regulations do not constitute a barrier to entry and apply to providers on a competitively neutral basis.

60.70.10. Applicability.

1. The regulations contained within this section shall apply to the construction or installation or modification of Wireless Communication Facilities (WCF) within the municipal limits of the City of Beaverton.

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2. Regulations contained in this section shall apply to wireless communication facilities used for essential public communication services conducted by police, fire, and other public safety or emergency networks.
3. Compliance with the regulations contained within this section shall be required in addition to any other applicable standards and regulations contained within the Code.

60.70.15. Federal and State Compliance.

1. In addition to compliance with the regulations in this section, the applicant shall be responsible for the identification of and compliance with all applicable federal and state regulations pertaining to WCF.
2. Permanent alterations to previously City reviewed and approved WCF resulting from the adoption of new or updated federal and/or state regulations shall be reviewed through the City's development review process prior to the making of such alterations, unless local review and approval is exempted by federal or state statute.

60.70.20. Exemptions.

1. All of the following are exempt from the regulations contained in this section of the Code:
 - A. Emergency or routine repairs, or maintenance of existing facilities and of transmitters, antennas or other components of existing facilities that do not increase the size, footprint, or bulk of such facilities, and which otherwise comply with City, state and federal regulations.
 - B. Federally-authorized industrial, scientific and medical equipment operating at frequencies designated for that purpose by the Federal Communications Commission (FCC) in Part 18 of Title 47 of the Code of Federal Regulations (CFR).

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- C. Amateur radio facility antennas, or a combination of antennas and support structures seventy (70) feet or less in height as measured from the base of the support structure consistent with ORS 221.295. This includes antennas attached to towers capable of telescoping or otherwise being extended by mechanical device to a height greater than 70 feet so long as the amateur radio facility is capable of being lowered to 70 feet or less. This exemption applies only to the Beaverton Development Code and does not apply to other applicable city, state, and federal regulations. Amateur radio facilities not meeting the requirements of this exemption are considered non-exempt, and must comply with Section 60.70.45.
- D. Military and civilian radar equipment, operating within the regulated frequency ranges, for the purpose of national, state or local defense or aircraft safety.
- E. Antennas and associated equipment completely located within the interior of an existing or proposed structure with no associated exterior equipment, the purpose of which is to enhance or facilitate communication functions within the structure or other structures on the site.
- F. Satellite antennas up to and including two (2) meters in diameter in Commercial, Industrial, and Multiple Use zoning districts. [ORD 4584; June 2012]
- G. Direct-to-home satellite service and satellite antennas up to and including one (1) meter in diameter located in Residential zoning districts. [ORD 4584; June 2012]
- H. AM or FM radio broadcast towers and equipment, or television broadcast towers and equipment, as regulated by the Federal Communications Commission (FCC).
- I. Antennas installed by a public agency for the purpose of emergency communications that are less the 30-inches in diameter affixed to existing structures with associated equipment completely located within the interior of an existing or proposed structure. [ORD 4397; August 2006]

60.70.25. Nonconforming Use Status for Existing Wireless Communication Facilities.

1. WCF and associated equipment and site improvements in existence as of May 8, 2003 that are nonconforming as to the use or development standards contained in this Code section shall be subject to the provisions of Chapter 30 (Nonconforming Uses) except:
 - A. A proposal to collocate new antennas on existing nonconforming structures shall comply with the standards of this Section.
 - B. Abandoned facilities shall not be considered nonconforming uses and shall comply with Section 60.70.65.
 - C. If the owner, operator or both propose a permanent alteration of an existing nonconforming WCF, the use, structure, or both shall lose its nonconforming status and shall comply with the provisions of this section. For the purposes of this Code, a permanent alteration shall consist of the removal of an existing tower support structure, except as modified by Section 60.70.25.1.D-.E.
 - D. For purposes of collocation, or routine maintenance, the removal and replacement of existing transmitters, existing antennas, existing equipment shelters, and existing on-site improvements, including but not limited to, landscaping, fencing, paving, shall not be considered permanent alterations unless the removal and replacement of any or all of the above results in a substantial increase, as defined under Chapter 90 of this Code, existing on-site developed area beyond the previous land use approval. The expansion of previously approved existing on-site developed area shall result in the loss of nonconforming status and shall require compliance with the provisions of this Section. [ORD 4596; Feb 2103]
 - E. For satellite antennas not exempted by this Code, the removal and replacement of these stations shall not be considered a permanent alteration, provided that the diameter of the replacement satellite antennas shall be no more than fifty (50) percent greater or four (4) meters greater, whichever is less, of the existing diameter of the satellite antenna. The installation of replacement satellite antennas greater than fifty (50) percent or more than four (4) meters of the existing station diameter shall result in the loss of nonconforming status and shall require compliance with the provisions of this Section.

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- F. The addition of new WCF antennas, or equipment shelters, or on-site improvements shall not be considered permanent alterations to an existing nonconforming WCF, but shall be reviewed under applicable provisions of this Section.

60.70.30. Permit Process. Applicants shall refer to Chapter 20 (Land Uses) of this Code to determine whether a proposed WCF is a Permitted Use, a Conditional Use or a Prohibited Use within a specific underlying zoning district. The different permit types and associated thresholds are specified in Chapter 40 (Applications). The procedures for the review and approval of applications are contained in Chapter 50 (Procedures) of this Code.

60.70.35. Development Standards for WCF. Development standards applicable to all zoning districts. Except as noted in Section 60.70.35.18., the following development standards shall apply to all wireless communication facilities (WCF), excluding satellite antennas in all zoning districts. Refer to Section 60.70.40. for development standards for satellite antennas:

1. General.

- A. Lattice tower support structures are prohibited.
- B. Guyed tower support structures are prohibited.
- C. “Top hat” antenna arrays are prohibited.
- D. Collocation of new WCF antennas on existing lattice tower support structures, or guyed tower support structures is allowed.
- E. The attachment of WCF and associated equipment to any tree is prohibited.

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2. Height.

- A. The maximum height of any new WCF tower, WCF antenna collocation, or both shall conform to the maximum height standards specified in the site development requirements in Chapter 20 (Land Uses) for Residential, Commercial, Industrial, and Multiple Use zoning districts. [ORD 4584; June 2012]
- B. The height of any type of WCF shall include the support structure and any attached antennas. A lightning rod that is up to and including ten (10) feet tall and any required lighting by the Federal Aviation Administration (FAA) shall not be included within the calculation of the maximum height.

3. Lighting. The installation of light fixtures to a WCF tower is prohibited except for lighting required by the Federal Aviation Administration (FAA) or the Oregon Department of Aviation (ODA). A maximum of one (1) motion-sensitive or permanently shielded light fixture attached at or near the entrance door to the at-grade equipment shelter shall be allowed.

4. Signage.

- A. For new WCF towers and/or proposed collocation of WCF on existing towers one (1) non-illuminated sign having a maximum sign face of three (3) square feet and comprised of a white background with black lettering shall be provided and shall be permanently affixed to the entrance gate of the required fence. The sign shall identify the name of the WCF provider(s) and shall specify an emergency contact telephone number. For proposed collocation actions, the applicant for collocation shall be responsible for the production and installation of a required sign for the existing WCF service provider(s) if not already present at the site.
- B. No additional signage including logos and advertisements shall be allowed on any new or existing WCF towers, at grade equipment shelters or required fencing.

5. At-Grade Equipment Screening. All at-grade equipment shall be fully screened from the public view. Screening shall be accomplished by the following methods:

60.70.35.5.

- A. **Sight Obscuring Fencing.** A sight-obscuring fence that is a minimum of six (6) feet high shall prohibit public access to WCF towers, or shall screen all at grade equipment shelters, or both. Sight-obscuring fencing shall consist of chain link with slats, vinyl, wood, masonry, or brick.
- B. **Equipment Shelters.** All at-grade equipment shall be enclosed within equipment shelters constructed of wood, metal, or masonry. Building materials shall be stained or painted in a color that is consistent and compatible with surrounding development and then sealed for weather protection. Roofing and other architectural treatments proposed for the material shall also be consistent compatible with surrounding development
- C. **Screening Landscaping.** At-grade equipment shelters shall be screened with evergreen shrubs installed immediately outside of the required fencing on all sides. The portion of the fenced enclosure used as an access gate shall feature wooden slats or other sight-obscuring material in lieu of landscaping. Evergreen shrubs shall:
 - 1. Be planted with a minimum height of four (4) feet.
 - 2. Be spaced evenly apart to create adequate screening density, provided that the maximum spacing shall be thirty-six (36) inches on center.
 - 3. Be of a species that attains a minimum mature height of ten (10) feet.
 - 4. Be comprised of a minimum of three (3) varieties of evergreen shrub species.

[ORD 4596; February 2013]

- 6. **Evergreen Trees.** In addition to the at grade equipment screening landscaping requirements specified in Section 60.70.35.5.C, the decision-making authority may require the planting of evergreen trees when a new WCF tower is located on property within or immediately abutting Residential or Multiple Use zoning districts. When required, evergreen trees shall: [ORD 4584; June 2012]

60.70.35.6.

- A. Be placed immediately outside of a required fenced enclosure on all sides within or abutting the same planting area for the required evergreen shrubs.
- B. Be planted with a minimum height of ten (10) feet.
- C. Be planted a maximum of thirty (30) feet on center.

[ORD 4596; February 2013]

- 7. Required Plantings.** Required landscaping shall be planted and maintained in a manner to achieve 100% survival rate within the first year of planting. All landscaped areas shall be:

- A. Irrigated by a sprinkler, drip irrigation system or hand watered throughout the landscape establishment period.
- B. Demonstrate a regular scheduled watering and maintenance program which will be provided throughout the landscape establishment period after the first year of planting through a signed maintenance agreement by the property owner or authorized individual.
- C. Maintained by regular weeding and pruning.
- D. Replaced if dead or dying.

[ORD 4596; February 2013]

- 8. Visual Impacts.** The decision-making authority shall identify whether new WCF towers shall either be left in a non-reflective metal finish or shall be painted based on the characteristics of the surrounding terrain in which the parent parcel is located, unless required by the FAA to be painted in an alternating red-and-white striped pattern.

- 9. Noise.** Noise-generating equipment shall be sound-buffered by means of baffling or structural barriers to reduce the sound level measured at the property line abutting Residential or Multiple Use zoning districts.
[ORD 4584; June 2012]

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10. **Stealth Design.** Specific WCF threshold in Chapter 40 of this Code provide for stealth design to be utilized. Chapter 90 of this Code defines stealth design. The purpose of stealth design is to minimize the visibility of wireless communications facilities by disguising, concealing, or camouflaging these facilities. Acceptable methods of stealth design include, but are not limited to:
 - A. Disguised as Other Structures or Elements of Physical Environment. WCF support structures, antennas and associated equipment that are disguised to look like another structure including but not limited to a flagpole or church cross or are made to appear part of the natural environment such as an evergreen tree. Disguised WCF facilities shall not contain any visible exterior attributes of a WCF support structure, antenna and associated equipment.
 - B. Concealed Roof-Mounted Antennas. WCF antenna array installed on a building roof shall be concealed from the ground level of abutting public streets and adjacent properties. Acceptable types of screening are placement behind the roof parapet, within or on the mechanical penthouse or on a roof-mounted building element such as a chimney, exhaust pipe, cupola, bell tower or flagpole.
 - C. Camouflaged Roof-Mounted Equipment Shelters. Roof-mounted equipment shelters shall be camouflaged from the ground level of abutting public streets and adjacent properties. Acceptable types of screening are placement within the interior of the building or the structure, behind the roof parapet, within a mechanical penthouse or completely within a roof-mounted element such as a chimney, exhaust pipe, cupola or bell tower.
11. **Allowable Height for Building-Roof-Mounted Antennas.** Antennas mounted on building roofs shall not extend beyond the maximum height for buildings of the underlying zoning district or in the case of existing buildings which are non-conforming in height, shall not extend beyond the existing height of the building. The antenna height shall be measured from the existing height of the building roofline. All roof-mounted antennas shall comply with the stealth design requirements of Section 60.70.35.10. [ORD 4596; Feb. 2013]

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12. **Building-Wall-Mounted Antennas.** Any WCF antennas mounted to the roof edge or sidewall elevation of a building shall be completely covered with the same exterior finish and painted the same color as the exterior of the building or structure.
13. **Structure-Mounted Antennas.** Any WCF antennas mounted to a structure that is not a building shall comply with the following standards:
 - A. Antennas shall not extend beyond the maximum height for structures of the underlying zoning district.
 - B. Antennas on existing tower structures or pole structures, other than those used for cellular phone service shall extend a maximum of ten (10) feet above the existing structure height as measured from its tallest point.
 - C. Antennas on water reservoir tanks shall extend a maximum of five (5) feet above the existing structure height as measured from its tallest point.
 - D. Antennas on structures shall be painted the same color as the structure. [ORD 4596; February 2013]
14. **Setbacks.** All new WCF towers, antenna arrays, and ground and/or roof-mounted equipment shelters shall comply with the setbacks established in the underlying zoning district. These standards shall also apply to WCF collocation proposals:
 - A. In all underlying zoning districts, building wall-mounted antennas and at-grade equipment shelters shall comply with all setbacks contained in the underlying zoning district. For the purposes of this Code, the setback shall be measured from the portion of the at-grade equipment shelter or building wall-mounted antennas that extend outward towards the property line to the greatest extent.

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- B. New WCF towers shall be set back from all property lines by a distance equal to the height of the tower plus five (5) additional lineal feet, except that the decision-making authority may authorize an Adjustment or Variance to this standard, if the applicant can demonstrate that such an Adjustment or Variance would reduce the visual impacts of the tower on adjacent property because of vegetation, topography, intervening buildings, or other site-specific factors. Adjustments and Variances shall be authorized through the Adjustment and Variance provisions specified in Chapter 40 (Applications).
 - C. New WCF towers located on commercially or industrially zoned property shall meet the setback of the underlying zone where the new WCF tower is more than the height of the tower plus five (5) feet from a Residential or Multiple Use zoning district. The decision-making authority may authorize an Adjustment or Variance to this standard, if the applicant can demonstrate that such an Adjustment or Variance would reduce the visual impacts of the tower on adjacent property because of vegetation, topography, intervening buildings, or other site-specific factors. Adjustments and Variances shall be authorized through the Adjustment and Variance provisions specified in Chapter 40 (Applications). [ORD 4659; June 2015]
- 15. Parking.** A minimum of one (1) readily accessible parking space shall be provided to serve new WCF towers or collocated WCF for the purpose of regular maintenance or emergency repairs. The decision-making authority may waive the minimum-parking requirement. Waivers may be authorized if the applicant can demonstrate that there is existing on-site parking, on-street parking, leased parking, or parking on separate adjacent property authorized for use by a written agreement.
- 16. Clustering of Towers.** Clustering of towers shall be prohibited in all Residential and Multiple Use zoning districts. Proposals for the clustering of towers in Commercial and Industrial zoning districts shall comply with all development standards of this Section, and other applicable sections of the Development Code.

60.70.35.17.

- 17. Collocation Capacity.** New WCF towers and associated site area shall be designed to accommodate a minimum of one (1) additional future service. Collocation capacity shall be reserved through all of the following methods:

 - A. Construction of a tower of sufficient height to accommodate a minimum of two (2) antenna arrays; and,
 - B. Installation of a foundation of adequate size and structural bearing capacity to accommodate a tower with a minimum of two (2) antenna arrays; and,
 - C. Provision of a fenced enclosure of sufficient size to accommodate the equipment shelters for a minimum of two (2) antenna arrays.
- 18. Specific Development Standards in Multiple Use Zoning Districts.** The following standards are specific to WCF on lots in Multiple Use zoning districts and are in addition to the other development standards specified in this section of the Code:

 - A. Equipment for new WCF towers or new attached WCF or incorporated WCF shall either be placed underground, entirely within an existing building, on a screened rooftop, or entirely within a new above ground structure constructed solely for the purpose of housing this equipment. This enclosed building shall be architecturally treated to blend in with the surrounding built environment. Acceptable types of architectural treatments include but are not limited to painted metal roofs, faux windows, awnings, canopies, brick, or colored or textured masonry.
 - B. Cables and other connection devices between equipment shelters and new WCF towers or new attached WCF or incorporated WCF shall be placed entirely underground, or shall be placed above-ground in a completely enclosed structure. If placed above-ground, the completely enclosed structure shall be compatible in scale, design, and materials to the above-ground equipment shelter, and the surrounding built environment.

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- C. For new WCF towers located on a lot that because of physical site constraints, tower related site design, or lease or ownership restrictions cannot be developed for any other Permitted Use while the tower is in operation, property perimeter structural bearing walls having a minimum height of ten (10) feet and composed of brick or colored and textured masonry or a combination of brick and colored and textured masonry shall be installed along all property lines for the portion of the lot being developed for WCF, abutting public streets. Required perimeter walls shall have architectural treatments including but not limited to faux windows, or awnings, covering a minimum of fifty (50) percent of each wall elevation; provided, the Director may determine a different type of perimeter treatment along property lines not abutting public streets for compatibility with the current uses of abutting properties.
- D. For new WCF towers located on property that could be developed for another use concurrent with the tower operation, the tower and, if applicable, above-ground equipment building shall be placed on the lot so as to not preclude future development of the remaining portion of the site and to allow for conformance to site design, parking and other applicable standards. Any lot area not proposed for WCF development that is disturbed by site development activity shall be landscaped. The decision-making authority shall determine the type of landscaping based on the existing landscaped nature of the lot and abutting lots.
- D. For WCF towers located on property occupied by an existing use, the tower and, if applicable, above grade equipment building, shall be located on the site so as to not preclude future redevelopment of the remaining portion of the site or future compliance with code requirements for a different use of the site. [ORD 4462; January 2008]

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- 19. Specific Development Standards for WCF in Public Road Right-of-Way.** The following standards are specific to the installation of New or Collocation of WCF within the right-of-way and are in addition to the other applicable development standards specified in the Beaverton Development Code: [ORD 4702; January 2017]
- A. Installation of WCF on structures within the public road right-of-way shall not jeopardize the physical integrity or shorten the lifespan of these structures.
 - B. Antennas shall be Stealth Design, interior mounted, flush-mounted or otherwise designed not exceed the existing diameter of the structure at the mounting point for the antennas. No mounted arm antennas are permitted.
 - C. Antennas mounted on a structure shall not extend beyond the permitted height of the underlying zoning district.
 - D. Collocates to poles that existed on or before the date of adoption of this text amendment or replacement of poles, inclusive of antennas and any mounting devices, may extend above the maximum permitted height listed under Sections 20.05.15, 20.10.15, 20.15.15 and 20.20.15, up to and including ten (10) feet above the height of the existing pole unless separately authorized through an adjustment or variance application.
 - E. Antennas shall be painted to match the color of the structure.
 - F. Noise Levels. Noise levels shall meet the numerical standards established by the State of Oregon Department of Environmental Quality, measured to property lines abutting or within 500 feet of Residential or Multiple Use zoning districts, as stated in Section 60.50.25.11 and 60.70.35.9.
 - G. Vibration. No vibration discernible without instruments at the nearest property line, other than that caused by highway vehicles, trains and/or aircraft, shall be permitted.

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- H. Odors. Emission of odorous gasses or matter that is readily detectable at the nearest property line is prohibited. Measures and controls shall be taken that are intended to prevent offensive fumes and odor. Air quality shall also meet the standards established by the State of Oregon Department of Environmental Quality as stated in Section 60.50.25.12.
- I. Replacement of the existing structure, tower or pole may be authorized, provided that the replacement structure fully contains antennas and associated equipment and no higher than permitted under Sections 20.05.15, 20.10.15, 20.15.15 and 20.20.15.
- J. The maximum diameter of any new or replacement tower or pole shall be 24-inches.
- K. Attachments to historic or ornamental streetlight poles shall not be permitted.
- L. Attachments to traffic signal poles shall not be permitted.
- M. Equipment cabinets shall be placed completely within underground vaults. No at-grade or pole-mounted equipment cabinets, equipment in the public right-of-way, or on any equipment on private property (above or below grade) abutting the structure is permitted. The mounting of equipment to the structures shall conform to the following:
 - 1. The smallest antennas, equipment, and equipment cabinets to satisfy engineering requirements and service objectives shall be utilized.
 - 2. All cabling and wiring shall be placed completely underground or on the interior of the structure, tower or pole. Collocates to poles that existed on or before the date of adoption of this text amendment, that cannot accommodate cabling run on the interior, may have cables attached to the exterior, provided that they are painted to match the color of the structure.
 - 3. Mounting hardware and accessory equipment shall be painted to match the color of the structure, tower or pole.

[ORD 4702; January 2017]

60.70.40. Development Standards for Satellite Antennas. The following development standards shall apply to all satellite antennas in all zoning districts, except for satellite antennas and direct-to-home satellite services exempted by Section 60.70.20.1.F.-.G.:

1. New satellite antennas shall be mounted on the ground or on building roofs only.
2. New satellite antennas shall not be mounted on lattice towers or guyed tower support structures.
3. New ground-mounted satellite antennas shall be screened from view from abutting properties, or public right-of-way, or both in a manner that does not detract from the function of the antennas. Screening shall be done through one of more methods listed in Sections 60.70.35.5-7 on all directions, except for the direction that the antenna is oriented for sending, receiving, or both. The decision-making authority shall determine the appropriate type and height of screening based on the area proposed for development, the nature of the surrounding development, and the proximity of the development area to this surrounding development. [ORD 4596; February 2013]
4. New building roof-mounted satellite antennas shall be screened from view from abutting properties, or public right-of-way, or both in a manner that does not detract from the function of the antennas. Screening shall be done through the placement of the antennas behind parapet walls or other permanent architectural features.
 4. Satellite antennas mounted on building roofs shall not extend beyond the maximum height for buildings of the underlying zoning district or, in the case of existing buildings which are non-conforming in height, shall not extend beyond the existing height of the building. The satellite antenna height shall be measured from the height of the building roofline. [ORD 4596; February 2013]

60.70.45. Requirements for Non-Exempt Amateur Radio Facilities.

1. Non-exempt amateur radio facilities may not be erected until a valid building permit has been obtained from the City of Beaverton.
2. Notwithstanding Chapter 30 of the Development Code, the following rules apply to non-exempt amateur radio facilities in existence on or before May 8, 2003:
 - A. Facilities constructed before May 8, 2003 under building permits validly issued on the date of construction are not subject to these regulations.
 - B. Exempt facilities that are proposed to be modified to become a non-exempt facility, shall acquire a new building permit from the City.
 - C. Facilities without permits from the City of Beaverton, Washington County, or Multnomah County shall acquire a building permit from the City.

60.70.50. Required Studies and Information. The following requirements for studies and information shall be provided in addition to the submittal requirements specified in the application checklist to be provided by the Director: [ORD 4702; January 2017]

1. For new WCF towers or poles, the following information is required to be submitted at time of application:
 - A. A visual impact report prepared by an Oregon licensed engineer or Oregon licensed architect shall be submitted. For purposes of this section of the Code, the extent of the adjacent area to be analyzed in this report shall be determined by the Director at the time of pre-application based on the type of tower proposed and the nature of the surrounding development. The visual impact report shall be comprised of:
 1. A written summary of the findings of the visual impact analysis.
 2. A to-scale (engineer scale measurement) vicinity map identifying in plan-view the location of the proposed WCF tower.

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3. A to-scale (engineer scale measurement) aerial plan showing in plan view the location of the proposed WCF tower and the location and type of adjacent development.
 4. A to-scale (engineer scale measurement) elevation drawing indicating the height, dimensions, type, design, materials and color of the tower and any on-ground associated equipment.
 5. A visual graphic (photo) simulation of the proposed WCF tower from northern, southern, western and eastern orientations inclusive of adjacent buildings, structures, natural features and public or private streets.
 6. Recommended methods to mitigate the visual impacts of the proposed WCF tower on adjacent properties.
- B. For a new WCF tower, a coverage analysis report prepared by an Oregon licensed professional engineer with demonstrated experience in the preparation of coverage analysis reports specifying the search ring within which service is proposed inclusive of the location, height and frequency of existing and approved WCF, and addressing the quality of existing wireless service and new wireless service within the search ring.
- C. All WCF applications abutting or within Residential, or Multiple Use zoning districts proposing exterior at-grade equipment shelters shall be accompanied by the equipment manufacturer's written noise specifications if these specifications are proposed to be followed. [ORD 4397; August 2006]
- D. Copy of the license application or received license from the Federal Communications Commission (FCC) or documentation that a license is not required. A copy of an approved license, or evidence of exemption shall be provided to the Planning Division prior to the issuance of a building permit.
- E. Copy of the permit application or received permit from the Federal Aeronautics Administration (FAA), if applicable. A copy of an approved permit shall be provided to the Planning Division prior to the issuance of a building permit.

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- F. Copy of written authorization from the Oregon Department of Aviation, if applicable. A copy of the written authorization, if applicable, shall be provided to the Community Development Department prior to the issuance of a building permit.
- G. Copies of all environmental reports and assessments required to be submitted to the FCC or FAA for proposed WCF shall be provided to the City at their time of filing with these agencies. It is the applicant's responsibility to conform to all requirements of these agencies resulting from the submittal of the environmental assessments.
- H. Copy of an approved and signed City of Beaverton franchise/utility license.
- I. Noise Study: If applicable, provide a noise study prepared by a licensed Oregon acoustical engineer in accordance with Section 60.50.25.11
- J. For all WCF located within the right-of-way, proposed to replace a street light pole, provide plans for LED street lights. (Illumination levels to be evaluated per Section 450.4 of the City Engineering Design Manual, Option C requirements unless otherwise approved by the City Public Works Director).
- K. For all City owned poles within the right-of-way any studies requested by the Public Works Director required to ensure the safety and integrity of city owned and maintained property, including but not limited to structural calculations.
- L. New poles located within 10-feet of a roadway without a curb and gutter shall include a vehicle impact study and protective devices such as bollards.
- M. For all WCF located within the right-of-way, signed approval from the Public Works Director.

[ORD 4702; January 2017]

60.70.55. Temporary Uses.

1. The Director may authorize a temporary WCF inclusive of needed equipment shelters and on-site improvements to facilitate continuity in service during the initial construction, repair, maintenance and/or replacement of permanent equipment. Temporary WCF shall be authorized through temporary use permit provisions specified in Chapter 40 (Applications). The authorization of temporary WCF shall be subject to the following criteria:
 - A. A temporary WCF facility shall be permitted to operate a maximum of ninety (90) days from the date of temporary permit authorization.
 - B. At the discretion of the Director a time extension not to exceed a maximum of ninety (90) days may be granted to facilitate continuity in service provided that a written request letter is submitted a minimum of thirty (30) calendar days prior to the expiration of the initial temporary use authorization.
 - C. The written request letter shall be submitted by an authorized representative of the service provider, shall specify the amount of the additional time request and shall explain the reason(s) for the additional time request.
 - D. Failure to submit the additional temporary use authorization request within the specified timeframe stated herein may result in a denial of the additional temporary use timeframe request.
 - E. All temporary WCF facilities shall be removed a maximum of fourteen (14) calendar days from the expiration of the initial or extended temporary use authorization.

60.70.60. Collocation Protocol.

1. Purpose. The purpose of this requirement is to create a process that will allow providers to equitably share publicly available, non-proprietary information among themselves, with interested persons and agencies, and with the City. This collocation protocol is designed to increase the likelihood that all reasonable opportunities for collocation of wireless communication antennas on existing towers have been investigated and the appropriate information has been shared among providers. The City recognizes that collocation is preferable, where technologically feasible and visually desirable, as a matter of public policy, but that collocation

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is not always feasible for technical or business reasons. However, if all licensed providers are made aware of any pending tower or antenna permit requests, such disclosure will allow providers to have the maximum amount of time to consider possible collocation opportunities, and will also assure the City that all reasonable accommodations for collocation have been investigated. The Code creates strong incentives for collocation because proposals for collocation qualify for a less rigorous approval process in almost all zones within the City.

2. Applicability. Requirements for the collocation protocol apply only to new WCF towers constructed after May 8, 2003.
3. The applicant shall show proof satisfactory to the City that it has made reasonable inquiries at potential sites for collocation that would otherwise meet the applicant's need for signal coverage.

60.70.65. Abandoned Facilities.

1. Criteria for Removal of Abandoned WCF Facilities. Abandoned wireless communication facilities inclusive of antennas and at-grade equipment shelters that are not operated for a continuous period of six (6) months shall be removed by the owner of the property on which the WCF is located or by the owner or lessee of the WCF within a maximum of ninety (90) day from the date of a written notice letter from the City. Failure to remove abandoned WCF within this timeframe is hereby declared a nuisance, and shall be subject to abatement under the provisions of local or state law.
2. Multiple WCF Providers. If there are two or more WCF providers collocated on an abandoned tower, Section 60.70.65.A. shall not become effective until all providers cease using the WCF for a continuous period of six (6) months.
3. Time Extension. Prior to the expiration of the ninety (90) day period stated in Section 60.70.65.A., the property owner and/or the WCF owner may request a temporary use permit for an additional ninety (90) day extension to provide time to find another user.